Improved Program Delivery

Citizenship, Labour and Immigration

A Study Team Report
to the Task Force on Program Review

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CITIZENSHIP, LABOUR AND IMMIGRATION

A PLETHORA OF "PEOPLE" PROGRAMS

A Study Team Report
to the Task Force
on Program Review

October 1985

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FOREWORD

The Task Force on Program Review was created in September 1984 with two major objectives - better service to the public and improved management of government programs. Recognizing the desirability of involving the private sector in the work of program review, assistance from national labour, business and professional organizations was sought. The response was immediate and generous. Each of these national organizations selected one of their members to serve in an advisory capacity. These public spirited citizens served without remuneration. Thus was formed the Private Sector Advisory Committee which has been responsible for reviewing and examining all of the work of program review.

The specific program reviews have been carried out by mixed study teams composed of a balance of private sector and public sector specialists, including representatives from provincial and municipal governments. Each study team was responsible for the review of a "family" of programs and it is the reports of these study teams that are published in this series. These study team reports represent consensus, including that of the Private Sector Advisory Committee, but not necessarily unanimity among study team members, or members of the Private Sector Advisory Committee, in all respects.

The review is unique in Canadian history. Never before has there been such broad representation from outside government in such a wide-ranging examination of government programs. The release of the work of the mixed study teams is a public acknowledgement of their extraordinarily valuable contribution to this difficult task.

Study teams reviewed existing evaluations and other available analyses and consulted with many hundreds of people and organizations. The teams split into smaller groups and consulted with interested persons in the private sector. There were also discussions with program recipients, provincial and municipal governments at all levels, from officials to cabinet ministers. Twenty provincial officials including three deputy ministers were members of various study teams.

The observations and options presented in these reports were made by the study teams. Some are subjective. That was necessary and appropriate considering that the review phase of the process was designed to be completed in a little more than a year. Each study team was given three months to carry out its work and to report. The urgent need for better and more responsive government required a fresh analysis of broad scope within a reasonable time frame.

There were several distinct stages in the review process. Terms of reference were drawn up for each study team. Study team leaders and members were appointed with assistance from the Private Sector Advisory Committee and the two Task Force Advisors: Mr. Darcy McKeough and Dr. Peter Meyboom. Mr. McKeough, a business leader and former Ontario cabinet minister, provided private sector liaison while Dr. Meyboom, a senior Treasury Board official, was responsible for liaison with the public sector. The private sector members of the study teams served without remuneration save for a nominal per diem where labour representatives were involved.

After completing their work, the study teams discussed their reports with the Private Sector Advisory Committee. Subsequently, their findings were submitted to the Task Force led by the Deputy Prime Minister, the Honourable Erik Nielsen. The other members are the Honourable Michael Wilson, Minister of Finance, the Honourable John Crosbie, Minister of Justice, and the President of the Treasury Board, the Honourable Robert de Cotret.

The study team reports represent the first orderly step toward cabinet discussion. These reports outline options as seen by the respective study teams and present them in the form of recommendations to the Task Force for consideration. The reports of the study teams do not represent government policy nor are they decisions of the government. The reports provide the basis for discussion of the wide array of programs which exist throughout government. They provide government with a valuable tool in the decision-making process.

Taken together, these volumes illustrate the magnitude and character of the current array of government programs and present options either to change the nature of these programs or to improve their management. Some decisions were announced with the May budget speech, and some subsequently. As the Minister of Finance noted in the May budget speech, the time horizon for implementation of some measures is the end of the decade. Cabinet will judge the pace and extent of such change.

These study team reports are being released in the hope that they will help Canadians understand better the complexity of the issues involved and some of the optional solutions. They are also released with sincere acknowledgement to all of those who have given so generously of their time and talent to make this review possible.

TERMS OF REFERENCE

There are 79 programs directed in whole or in part to citizenship, labour and immigration. These programs in total involve 5,959 person-years, 14 departments and agencies and almost $552 million in annual operating, capital, grants and contributions costs.

The sensitive nature and vital long term impact of programs dealing with citizenship, the public service, immigration, labour, official languages and equal opportunities issues compels that this review be conducted in a particularly conscientious and thoughtful manner. The review must involve consultation with labour groups, the business sector, ethnic minorities, women's groups and public and private sector organizations.

The 79 programs can be divided into six categories:

> Labour Issues - this category includes programs designed to provide information and/or assistance regarding labour matters; to encourage research in the field of labour issues; and to promote responsible labour-management relations;
>
> Occupational Health and Safety - this category includes programs designed to facilitate educational programming and research; to provide information and advice regarding occupational health and safety; to encourage the establishment and maintenance of safe and healthy work environments; and to compensate those suffering employment injuries;
>
> Immigration and Citizenship - this category includes programs designed to manage the Canadian immigration process; to provide advice and assistance regarding citizenship registration; and to aid citizenship and official language instruction of adult immigrants;

Official Languages - this category includes programs designed to ensure the implementation of the federal Official Languages Program through the provision of language training, translation and information services;

Public Service Staffing and Development - this category includes programs designed to provide staffing services, training and development for public servants; to provide appeal and investigative services; to facilitate the resolution of disputes; and to perform research on public/private sector labour conditions;

Equal Opportunities - this category includes programs designed to monitor federal equal opportunity policies and programs; to provide information regarding issues of particular concern to women; and to increase the status of women.

The team will also consult with those who are engaged in a review of policies and programs in the appropriate agencies.

Based on an appropriately modified list of programs, the Ministerial Task Force on Program Review seeks advice and conclusions regarding a profile of government programs which is simpler, more understandable and more accessible to its clientele, and where decision making is decentralized as far as possible to those in direct contact with client groups. Included in this advice could be observations regarding:

- areas of duplication between the federal and provincial governments;
- programs that might be eliminated;
- programs that could be reduced in scope;
- groups of programs that could be consolidated;
- programs whose basic objective is sound but whose form should be changed;
- a summary overview of the legislation that would be required to implement any of these program changes;

- areas of possible cost recovery;
- the resource implications of any recommended program changes, including increased costs or savings and the number and location of either increases or decreases in staff.

By means of background information to its conclusions, the study team is requested to obtain answers to three sets of questions and concerns regarding beneficiaries; efficiency and overlap; and gaps and omissions.

Beneficiaries

The programs within this review are essentially designed for the benefit and protection of individuals living in Canada, whether they are Canadians or landed immigrants, public or private sector employees or those outside the labour force. While the individuals in Canadian society are the principal beneficiaries of most of these programs, business conduct, federal-provincial relations (especially concerning language education), and the social and economic fabric of the nation are also affected.

As a result, the team must review:

The purpose of and benefit to Canadians and Canadian society of the programs.

The geographic and demographic group impact of expenditure programs, including possible beneficiaries of more than one federal program.

The degree and incidence of benefits to Canadians of those programs whose impact is indirect.

Efficiency and Overlap

Programs which are particularly troublesome to beneficiaries in terms of red tape, paper work and delays.

Overlap with other federal or provincial programs.

Cost per unit of service.

Programs whose results could be achieved more efficiently through private sector organizations.

Approaches in other countries (e.g. U.S.A.).

Alterations which could increase the speed and effectiveness or reduce the cost of the service provided.

Programs whose purpose has been substantially achieved.

Gaps and Omissions

Direct spending or tax expenditure programs which should be taken into account in this review but are not in the list of programs.

LINKAGE WITH CONSULTATION PAPERS

Cutting horizontally across governmental activities as this study does, it will deal with issues covered by consultation papers. Although the team will want to examine and take note of these papers and other studies and reviews, the team's central task will be to advise the Ministerial Task Force along the lines set out above.

COMPOSITION OF STUDY TEAMS

The study team is being led by a senior government executive at the EX-5 level. The team director will report to both the Public Sector Advisor and the Private Sector Liaison Advisor serving the Chairman of the Task Force. The director will be supported by nine seconded government officers and a matching number of private sector representatives nominated through the Private Sector Advisory Committee. The team, or its director, shall meet with the Public Sector and Private Sector Liaison Advisors at their request.

WORK PROGRAM

In view of the multiplicity of programs that fall within the general category of citizenship, labour and immigration, it will be desirable to assign specific tasks to sub-teams dealing with the six categories outlined above. To this end, the study team will submit for consideration by the Ministerial Task Force a detailed work plan showing what sub-teams will be organized for that purpose.

The study team shall have access to any evaluations, reviews, assessments or reports or papers on their list which departments have on hand.

REPORTING SCHEDULE

The study team is requested to make its final report to the Ministerial Task Force by October, 1985. In addition, the Task Force will receive brief progress reports on the work of this and other study teams at all regular meetings.

COMMUNICATION WITH DEPARTMENTS

Ministers of those departments directly affected this by review will be advised which programs under their jurisdiction will be included.

CITIZENSHIP TEAM PROGRAMS

DEPARTMENT	ID	PROGRAM	TITLE
CACSW	1	CACSW	Research/Womens Issues
	2	CACSW	Documentation Centre
	3	CACSW	National Clearing House on Pensions
	4	CACSW	Talent Bank
	5	CACSW	Publications
	6	CACSW	Communications
	100	CACSW	Regional Offices
CCOHS	1	CCOHS	Canadian Centre for Occupational Health and Safety
CLRB	1	CLRB	Canada Labour Relations Board
COL	1	COL	Commissioner of Official Languages
EAC	2	EAC	Authentication of Documents
	104	EAC	Immigration Service for Canadians
	901	EAC	Immigration Recruitment and Selection Abroad
EIC	53	EIC	Visitors to Canada
	54	EIC	Immigration Examination
	55	EIC	Transportation Loans
	56	EIC	Independent Immigrants/Immigration to Canada
	57	EIC	Refugees/Convention Class
	58	EIC	Refugees/Special Designated Classes
	59	ECI	Refugee/Admissibility Loans
	60	EIC	Immigration/Family Class
	61	EIC	Sponsoring a Refugee or Designated Class Person
	62	EIC	Sponsoring a Relative/Immigration
	64	EIC	Immigrant Settlement and Adaptation Program
	65	EIC	Returning Resident's Permits
	66	EIC	Immigration Inquiries
	67	EIC	Deportation/Immigration
	114	EIC	Programs for Special Needs Refugees
	901	EIC	Immigration: Recruitment and Selection
	902	EIC	Immigration: Enforcement
HWC	22	HWC	Immigration Medical Services
IAB	1	IAB	Immigration Appeal Board

DEPARTMENT	ID	PROGRAM	TITLE
LC	3	LC	Legislative Analysis and Research
	4	LC	Conditions of Work
	5	LC	Quality of Working Life
	6	LC	Occupational Health and Safety
	7	LC	Equal Pay
	8	LC	Work Benefits
	10	LC	Employment Injury Benefits
	11	LC	Financial Assistance for Labour Education
	12	LC	University Research Grants
	13	LC	Technology Impact Research Fund
	14	LC	Industrial Relations Information Services
	15	LC	Women's Bureau
	17	LC	Labour Library
	18	LC	Labour/Government Employee Secondment
	20	LC	Federal Mediation and Conciliation Services
	22	LC	Collective Bargaining
	23	LC	Technology Education
	25	LC	Unsolicited Grants
	26	LC	International Labour Program
PSC	1	PSC	Post Secondary Recruitment
	5	PSC	Foreign Service Recruitment
	6	PSC	Career Assignment Program (CAP)
	7	PSC	Management Category Resourcing Program
	8	PSC	Interchange Canada
	11	PSC	Staff Development and Training Revolving Fund
	14	PSC	Language Training
	16	PSC	Political Activities of Public Servants
	17	PSC	Anti-Discrimination/Ombudsman
	18	PSC	Appeals
	19	PSC	Appeals/Redress Information
	20	PSC	Staffing Investigation
	100	PSC	Office of Native Employment
	103	PSC	Legislation/Policy Interpretation and Advice
	104	PSC	Recruitment

DEPARTMENT	ID	PROGRAM	TITLE
PSSRB	2	PSSRB	Collective Bargaining
	4	PSSRB	Research on Labour Conditions
	10	PSSRB	PSSRB Adjudication and Other Quasi-Judicial Proceedings
SS	1	SS	Citizenship Registration and Promotion
	38	SS	Citizenship and Language Instruction Agreement
	39	SS	Language Texbook Agreements
	41	SS	Promotion of Official Languages
	42	SS	Official Languages in Education
	43	SS	Official Languages - Services
	44	SS	Language Acquisition Development
SWC	1	SWC	Status of Women Activities in Federal Government
TB	2	TB	Official Languages
	3	TB	Directory of Bilingual Offices

STUDY TEAM MEMBERS

Team Leader

Duncan R. Campbell
Executive Director
Labour Market Division
Employment and Immigration Canada
Hull, Quebec

Deputy Team Leader

Mike Swetlikoff
Business Representative
International Brotherhood
of Boilermakers, Ironship Builders,
Blacksmiths, Forgers and Helpers
Burnaby, B.C.

Private Sector Members

Nick Green
Manager
Labour Relations
MacMillan Bloedel
Vancouver, B.C.

Morley Fisher
Business Manager
International Brotherhood of
Electrical Workers (Retired)
Scarborough, Ontario

Pierre Labelle
Business Manager
International Union of
Operating Engineers
Montreal, Quebec

Albert Prossin
President and Special Advisor
Atlantic Foundation for
Occupational and Environmental Health
Sydney, Nova Scotia

Peter Ross
Consultant
London, Ontario

Jim Schneider
National Co-ordinator
Educational Services
Canadian Labour Congress
Ottawa, Ontario

Samuel Phillip Stickland
Manager
Industrial Relations
Newfoundland and Labrador Hydro
St. John's Newfoundland

Public Sector Members

Sandra B.M. Beckman
Manager
National Recruiting
Correctional Service Canada
Ottawa, Ontario

Del McKay
Director
East Asia Program Division (PEP)
External Affairs
Ottawa, Ontario

Valerie Sims
Director General
Planning and Program Management
Employment and Immigration
Hull, Quebec

Radmila Swann
Assistant Director
Policy Development & Analysis
Public Works Canada
Ottawa, Ontario

Florent Tremblay
Director General
Staffing Policy and Program Development Directorate
Public Service Commission
Ottawa, Ontario

B. Phyllis Will
Senior Resources Planning Officer
Human Resources Sector
Energy, Mines and Resources Canada
Ottawa, Ontario

Professional Support	Jill LaRose Staffing Policy Analyst Staffing Policy and Program Development Directorate Public Service Commission Ottawa, Ontario
Administrative Support	Colleen Laframboise

OVERVIEW

The Areas and Programs Reviewed

The Citizenship, Labour and Immigration study team's review mandate, after adjustment, covers five distinct fields: immigration and citizenship; staffing and development of the federal public service; equal opportunities for women; occupational health and safety; and labour regulation within the federal jurisdiction.

These apparently disparate programs share a key characteristic: they all deal with people, their employment, their activities, their admission to Canada or to the public service, with the conditions of their work, and with the equity of the various processes determining those conditions. Each of the program areas thus shares the characteristic of considerable sensitivity -- changes in programs which affect so many people so intimately and so directly are, of necessity, sensitive.

Elements of the Areas and the Process of Review

The five inter-related areas of study directly include 50 individual programs with annual costs of $278 million, requiring 4,100 public servants to administer.

The 50 individual program elements are scattered across six federal departments and six independently reporting federal agencies. Most, however, relate to the Department of Labour or the Canada Employment and Immigration Commission.

In each case, the head of the department or agency has been contacted in the course of the study. The staff of the agencies involved have generally been extremely helpful in providing material and responding to queries. The study team has, in the course of its review, interviewed over 300 Canadians who deal with the programs or services involved on an intimate basis, to seek their views concerning the programs. A very considerable cross-section of individuals from labour and business organizations have been generous with their time, aid and advice.

Although the analytic process has of necessity varied somewhat from area to area, the basic approach of the study team has been to:

a. review the need for the service being provided;
b. review with recipients the quality of the service provided;
c. review so far as possible, making comparisons whenever possible, the cost-effectiveness with which the service is provided;
d. consider whether the service could more appropriately be provided by the private sector, or by provinces;
e. consider whether the service could usefully be combined with others to simplify access for the public, whether it could be altered to lower costs without impairing effectiveness, or whether it could be terminated without major loss.

PROGRAM GROUPS

LABOUR AFFAIRS PROGRAMS

Description

The regulation of labour standards and collective bargaining is a matter of provincial jurisdiction for 92 per cent of the Canadian labour force.

The group of 15 "Labour Affairs" programs reviewed are all (aside from the Canada Labour Relations Board) part of the federal Department of Labour. The 15 programs account for about 364 person-years and $28 million annually.

Assessment and Main Recommendations

The Department of Labour, in terms of its programming, is well-oriented to provide service within its mandate but a number of overlaps have developed within the programming structure. In the view of the study team there has been a tendency for each area within the department to develop its own support structure, regardless of the economy which could be derived through consolidation.

In the established regulatory areas such as the enforcement of labour standards and conditions of work and work benefits' provisions, the functions appear to be satisfactorily carried out. No fundamental requirements for change were noted by the study team.

The Canada Labour Relations Board appears to require some restructuring. It appears to the study team that a centralized board needs to be in part replaced with a more decentralized board using part-time members as appropriate. Decentralization and the use of part-time members should both increase the speed of service and decrease the personnel requirements.

The important Mediation and Conciliation Service of Labour Canada is in general well appreciated by its clients and has a record of very considerable success. Comparison with other services suggests, however, that some degree of reorganization could reduce resource requirements without reducing effectiveness.

The elimination, or termination on schedule, of a number of experimental, educational or university research oriented program elements - university research grants, unsolicited grants, quality of working life, technology impact research fund and technology education, is suggested for consideration by the Task Force on Program Review.

OCCUPATIONAL HEALTH AND SAFETY

Description

Through their constitutional responsibility for labour legislation and labour conditions, provinces are responsible for the occupational health and safety of 92 per cent of the Canadian labour force.

The federal government:

a. provides leadership in the areas of research, education and information, mainly through the Canadian Centre for Occupational Health and Safety. With a quadrapartite board and $8 million budget, it acts as a central information clearing house;

b. legislates and enforces measures for the remaining eight per cent of the labour force. Recently passed Bill C-34 provides, under Part IV of the Canada Labour Code, for a new and improved way of discharging these responsibilities. The current annual cost is $7.4 million. The Civil Aviation Medicine program in the Department of Health and Welfare reviews annually medical fitness examinations for air personnel at a cost of $2.2 million;

c. has responsibility as an employer for 225,000 workers. The federal government paid compensation for injured federal workers at a cost of $34 million in 1984 and carries on the Public Service health program of National Health and Welfare at an annual cost of $14.5 million.

Together the five programs in two departments and one agency cost about $80 million and require 700 person-years for their administration.

Assessment and Recommendations

The area of occupational health and safety is relatively new and is of growing importance. Appropriate preventive measures can, in addition to avoiding a great deal of human suffering, result in the downstream saving of considerable resources.

The Canadian Centre for Occupational Health and Safety has done a fine but expensive job of providing information. It has not fulfilled the rest of its mandate to coordinate research, to develop standards and to play a broad educational role. The study team recommends to the Task Force that the government consider reducing overhead costs and the budget by 10 per cent in each of the next two years, but while allowing for restoration of funding if the Centre moves to meet the unmet portion of its mandate.

The major changes in philosophy and direction outlined in Part IV of the Canada Labour Code will require considerable work by the Department of Labour if the important new features such as health and safety committees are to be implemented effectively. The study team concurs with the new directions and with the need for the Department of Labour to devote, temporarily, additional resources to this set of functions.

It is the opinion of the study team that the Civil Aviation Medicine program requires a further review to see whether it could not be better structured along the lines of its American equivalent with very considerable potential savings. A study is recommended, although computerization and the elimination of significant overstaffing will permit immediate reduction of costs by 50 per cent without impairing safety.

The Public Service Health Program now plays two roles: it provides routine medical services to public servants and it plays the preventative role of occupational health and safety. The study team recommends to the Task Force that the government consider elimination of the duplication of community health services implied by the first role, and concentration of the remaining resources on fulfilment of the employer's responsibility to provide a safe and healthy working environment and practices.

In the view of the study team the system of Worker's Compensation for federal employees should be maintained essentially without change although alteration of the Income Tax Act is suggested to prevent public servants from receiving higher after-tax income while disabled than while they are at work.

EQUAL OPPORTUNITIES FOR WOMEN

Description, Assessment, Recommendations

The area under review covers a total of five program elements in four departments or agencies involving expenditures of $18 million and 132 person-years. It does not include the federal government's internal affirmative action programming nor does it include the recent employment equity legislation, both of which are designed to apply to a number of groups, of which women are only one.

The study team gave explicit consideration to whether the five programs ought not to be consolidated in a single agency, rather than scattered in four locations. The unanimous view of the client groups, however, was that centralization would amount to "ghettoization" and would constitute a retrograde step. In view of the strong preference of the client group for maintenance of separate programming, the study team has not suggested consolidation into one agency.

Status of Women Canada reports to the Minister responsible for the Status of Women. It functions as a central advisor to the federal government on the impact of federal departments and programs on the status of women and advises as to what alterations to policies, programs and legislation should be considered in order to improve the status of women. Because of the impact of this important central group, the study team recommends that the Task Force on Program Review consider recommending to the Prime Minister that the responsibility for the Status of Women be attached to a Minister who is on the Priorities and Planning Committee of Cabinet.

The Canadian Advisory Council on the Status of Women provides public advice to the federal government based both on research carried out by the Council and on the views of its representative members. The Council is well regarded and its research to date is highly appreciated. It lacks, however, the funds necessary to do primary research. The assessment suggests that the Task Force consider recommending to the government that $500,000 should be provided.

The Women's Program in the Department of the Secretary of State is the only federal funding vehicle for the groups across the country concerned with the role and status of women. The study team recommends to the Task Force that the government consider maintaining the planned funding level of $14.4 million.

Other elements reviewed include the Women's Bureau and the Equal Pay Division of the Department of Labour. In neither case is any essential change recommended.

IMMIGRATION AND CITIZENSHIP

Description

Immigration and the process of settlement leading to citizenship are of fundamental consequence for Canada and Canadians. The very nature of our society, the size and structure of our population and the strength and diversity of our economy have been, and continue to be, very much determined by who chooses to come to Canada and who we allow into the country.

The Immigration Act of 1978 was based on the fundamental proposition that it is Canada's absolute and sovereign right to determine who to admit as an immigrant and who shall become a Canadian citizen. The Act provides a framework intended to permit the government to shape the immigration movement to Canada's best interests. It outlines a balanced set of objectives relating to economic, social, demographic, family reunification, refugee, and other humanitarian goals as well as the protection of the health, security, and well-being of Canadians.

The 1984 immigration inflow of 88,000 was below the 10-year average of 122,000. It was composed of about 20,000 "independent" immigrants and their families, about 44,000 close family relatives of earlier immigrants, 8,000 more distant "assisted relatives" of previous immigrants, and 15,000 refugees under the United Nations Convention or members of designated classes treated as refugees.

Of the 88,000 immigrants, about 38,000 were expected to enter the labour force with about 2,500 entering to fill jobs for which Canadian workers could not be found. The remaining immigrants entering the labour force were, in varying degree, competing with Canadian workers.

Perhaps one-fifth were deliberately selected abroad because of what they could contribute to Canada or because they were convention refugees. Undoubtedly many of those not specifically selected abroad for landing in Canada will make real contributions to Canadian society. But it is inevitable that a much larger percentage of them, being much less qualified, will have great difficulty.

Among the 15,000 refugees and other designated classes, about 11,000 were sponsored and provided with welfare payments and language training by the federal government; about 4,000 were sponsored by private sector (largely church) organizations at no cost to the federal government.

In addition to admitting immigrants, operations were carried out to prevent the arrival of, or to arrange for the removal of, persons in Canada without legal status.

By 1984, there were significant but unknown numbers of persons in the country without permanent legal status. Twenty thousand were seeking it through the refugee claims system. The inflow of refugee claimants is currently rising at a rate of close to 8,000 yearly compared with a processing capacity of about 1,000 cases yearly on the part of the Immigration Appeal Board.

In the course of the year the federal government paid about $7.4 million to assist private sector agencies with the resettlement of immigrants, about $35 million to provide federal welfare to indigent immigrants (mainly federally-sponsored refugees); about $55 million in language training for immigrants (with refugees accounting for perhaps $45 million) and shared the provincial costs of an estimated $38 million in welfare payments to the 20,000 refugee claimants.

The Department of the Secretary of State reviewed applications and accorded citizenship to 130,000 immigrants of previous years.

Analysis of Key Factors

The 15 individual program elements have been assessed and the study team has recommended considerable changes in those dealing with the key problem areas outlined below. In other areas, the recommendations are of a more procedural or secondary nature.

Three broad themes tended to dominate the study team's analysis of Immigration and Citizenship programs:

1. Who we bring is more important than how many people we bring.

    a. Most Canadians appear to support an immigration policy which brings to Canada people who can adapt and who will make a contribution to Canada's economic and social well-being. Canadians, as well, have a great deal of sympathy for genuine refugees and wish to assist in their resettlement.

    b. The study team has been presented with many illustrations of the difficulties faced in Canada by people who are illiterate in their own language. The problems of people who come from an isolated backward rural environment and who try to seek employment in a technologically oriented metropolitan society are well documented. Many people said that such cases make up a larger and larger portion of the immigrant stream. The difficulties which people face show up in high welfare costs (over $70 million yearly) and high language training costs ($55 million yearly), and allegedly extra costs borne by provincial educational systems.

    c. Aside from true convention refugees and immediate family, there is no reason to continue admitting what appears to be a significant proportion of persons who face real difficulties in adapting.

d. The study team is of the view that, to maintain the acceptability and positive contribution of immigration to Canada, we should adopt the positive selection approach outlined below. This approach, resulting in higher numbers of more selected immigrants yearly, should yield higher acceptability and lower government costs.

2. The study team is of the view that control of the refugee movement and of illegitimate refugee claimants must be established.

   a. Each year a substantial number of persons enter Canada, ostensibly as visitors or temporary workers, whose personal desire is to make a living in Canada, either permanently or for an extended period of time.

   b. Canadian immigration law prescribes that people cannot generally be provided with normal immigration status except from abroad. An exception, however, is made in the case of persons who claim refugee status: they are currently permitted to stay in the country until the increasingly protracted process of making a final legal determination of their claim to refugee status is completed.

   c. With 700 people monthly added to the backlog of 20,000 awaiting determination of refugee status, claimants have a certainty of being able to remain in the country for 3 to 4 years due to procedural delays. In fact, they have an excellent probability of being able to remain in the country forever. Although only about 30 per cent will be judged to be refugees, the remaining 70 per cent will prove difficult to deport some years down the road when they have married, and raised families in Canada.

   d. In view of the study team the situation in respect of spurious refugee claims is serious and threatens to escalate. It is absolutely essential for the integrity of the immigration program that immediate measures be taken to eliminate this flow of backdoor illegal immigration. The solution recommended by the study team to the Task Force is for the government to consider introducing measures whereby all future refugee determination takes place abroad rather than in Canada, and mounting immediately a major judicial process to determine status for refigee claimants already in the country.

3. In the view of the study team a new partnership with the private sector in immigrant adjustment is required.

   a. The costs of welfare support, language training and settlement services, largely for indigent refugees, now amount to about $100 million yearly. About $75 million is associated with the 10,000 refugees sponsored annually by the federal government.

   b. The federal government, in the late 1970s, announced that it would "sponsor" a refugee for each refugee "sponsored" by private sector groups. Over time, federal sponsorship has risen to about 10,000 yearly, while private sponsorship has remained essentially static at about 4,000 annually.

   c. The private sector is better able to aid individual adaptation and integration than the federal government, and can do so at lower real cost. It utilizes, on a voluntary basis, energy and expertise which would require large sums to purchase.

   d. The study team accordingly recommends to the Task Force that the government consider:

      i) ceasing direct sponsorship of refugees; instead it should combine with the private sector to provide 50 per cent of the cost of a major private sector refugee sponsorship program;

ii) combining the Cultural Integration Program of the Secretary of State and the Immigrant Settlement and Adaptation Program of Employment and Immigration into one major program to assist private sector groups in the adjustment and settlement of immigrants generally.

These recommendations could be implemented if the system were re-oriented towards the positive selection abroad of immigrants who will make a real contribution to Canadian economic and social well being.

Specific administrative suggestions are to:

- Broaden and considerably increase the selection of "independent" immigrants by ceasing to require that a job be pre-arranged; provide additional points for persons who possess skills in demand; and give more weight in the selection system to language, to education, and to assessed suitability.

- Maintain the family class, with minor alterations (e.g., age of parents to be at least 60, whether sponsored by citizens or permanent residents; children sponsored to be under 18 rather than 21).

- Combine the "assisted relatives" with the "independents". Set the bonus points at 10 per cent of the pass mark rather than the present 20-30 points, but no longer require a pre-arranged job.

- Require visitors' visas for nationals of most countries.

- Insist that claims for refugee status be made only when the person is abroad, except for those in "hot flight" - people arriving by direct transport from the country which they are fleeing.

- Review the backlog of 20,000 refugee claimants administratively to determine who can be admitted at once as refugees or otherwise.

- Review negative decisions by a large, temporary panel of 50 judges with individual oral hearings to determine status of all claimants within 18 months.

- Remove from Canada all those not determined by judges to be refugees.

- Cease federal sponsorship of refugees, but establish a large program of 50 per cent federal sharing of refugee costs incurred by private sponsoring groups.
- Combine the EIC Immigrant Settlement and Adaptation Program and the Secretary of State's Cultural Integration Program, adding to the resources to permit increased language training by private sector groups.

HUMAN RESOURCING PROGRAMS

The federal government personnel system utilizes approximately $500 million and 11,000 person-years annually. About $350 million and 7,500 person-years are accounted for by departments; $150 million and 3,500 person-years are in central agencies.

Federal government personnel resources are devoted to a number of functions: these include recruitment, staffing, management of redress mechanisms, training and development, collective bargaining, official languages, affirmative action, classification of positions, pay administration.

The study team had for examination 10 elements of the broader system, elements which utilize $36 million and 615 person-years. The elements studied were essentially those of a service-wide and public or external character: they excluded all individual departmental personnel operations and significant areas of activity such as pay, official languages and job classification.

The study team proceeded by reviewing the individual program elements in the context of a general review of the federal personnel system.

It must, at the outset, be recognized that federal personnel activities are subject to requirements which are quite different from those of major private sector organizations.

Most federal public servants are unionized, but the scope of collective bargaining is restricted by the Public Service Staff Relations Act, and staffing is governed by the Public Service Employment Act.

The federal government is by far Canada's largest employer. Two hundred and twenty four thousand persons work in 68 departments or agencies, divided into about 100 occupational groups and 70 bargaining units represented by 11 bargaining agents.

It is the view of the study team that public service employment must be open to all Canadians. The merit principle must be applied and be seen to be applied. The staffing system must provide for priority placement of laid-off persons, for affirmative action and for appropriate representation of regional and linguistic groups. The government must be able to demonstrate that all staffing decisions meet the criteria outlined, and are objective and non-partisan in character.

The number of staff transactions of one kind or another in a given year is very large: 84,000 "appointments" and 18,000 separations were registered in 1984.

Analysis of Key Factors

The 10 individual programs assessed were generally found to be functioning well and meeting valid objectives. A number, as noted in the individual assessments, are recommended for reduction and a degree of reorientation is recommended for others.

Of the program elements assessed, three are concerned with staffing and recruitment, four with training and development, one with hearing appeals from staffing actions, one with public service staff relations, and one with comparative pay research.

The key problems in the human resourcing area are, however, broader than the individual elements. In the view of the study team they are as follows:

a. The staffing process is unduly slow and cumbersome. It takes an average of six months to fill a middle management position in the federal public service compared with perhaps two months for comparable positions in major private sector organizations.

   The slowness of the process is attributed to the undue complexity and over-bureaucratization of the system. Much of the delay appears to be attributable to the extreme, time-consuming precautions taken to ensure that appeals will be avoided.

b. The complexity of federal personnel processes results in significantly higher personnel costs. After allowance is made for occupational and language training, the federal government employs more than 8,000 people in the personnel field. With the same overall level of employment, large corporations and people in personnel other than training and official languages would be about 2,250 rather than the actual 8,000 or so according to Conference Board in Canada surveys.

c. Public service unions believe that federal public servants should be regulated by the provisions of the Canada Labour Code, rather than the provisions of the Public Service Staff Relations Act and the current Public Service Employment Act. It is not clear to the study team whether the long-run impact of such a change would be beneficial.

d. Training and development expenditures by departments do not generally appear to be closely related to identified, planned human resource development requirements of those departments.

The study team feels that the problems outlined are sufficiently serious and costly to warrant major review by the government.

The study team, therefore, recommends to the Task Force that the government consider:

1. an immediate review of how best to simplify and accelerate the federal personnel system and reduce the high level of personnel resources required;

2. a study of the advantages and disadvantages of possible movement of the public service to the jurisdiction of the Canada Labour Code;

3. making immediate improvements in the speed of staffing through a number of administrative measures;

4. introducing selected legislative amendments to provide that lateral transfers be non-appealable, that the Public Service Commission may direct appeal boards as to what factors determine merit, and that unsatisfactory performance be added to the grounds for release.

LABOUR AFFAIRS
PROGRAM ASSESSMENTS

INTRODUCTION

The regulation of labour standards and collective bargaining is a matter of provincial jurisdiction for 92% of the Canadian labour force. The remaining 8% includes 225,000 federal public servants under the Public Service Employment Act, and 650,000 workers for whom the federal Department of Labour is responsible under the Canada Labour Code. Essentially these are in the areas of banking, interprovincial transport and communications and federal works.

The group of 15 "labour affairs" programs reviewed here are all (aside from the Canada Labour Relations Board) part of the federal Department of Labour. They respond to its mandate to provide leadership, to improve labour-management relations and to provide the regulatory framework for employees under federal jurisdiction. This group of programs excludes those in occupational health and safety covered in another section. Altogether the 15 programs account for about 364 person-years and $28 million annually.

The 14 Department of Labour programs fall into three broad categories:

1. Regulatory Programs - These are the oldest, most stable group, with a legislative base, and also of most interest to the clients.

2. Information Services - These have a long-time base, but have undergone revision in recent years and have not yet achieved the sought-for improvements.

3. Education Assistance - These are, as a group, the newest and most experimental. Their success varies greatly from program to program.

The Canada Labour Relations Board, like Labour Canada, has as its objective the promotion of effective industrial peace. The Board functions as a quasi-judicial body empowered to certify bargaining agents and to adjudicate complaints regarding violations of Part V of the Labour Code.

CONSIDERATIONS

The programs have been evaluated primarily from the point of view of service to the client. The basic need for the service was questioned in each case, and then the quality of the delivery was examined. Following the initial assessment of basic need and effectiveness, all programs were scrutinized with respect to efficiency, particularly in terms of person-years.

The Department of Labour was found to be very well oriented toward service in its programs, but in need of an overall review. The programs were found to overlap. The reasons for placing some in the Policy Branch, some in the Operations Branch and some under Administrative Services were not at all clear to the study team. An overlap also showed up in the tendency of individual branches or divisions to build up their own information services, libraries, and research and support units, when a single unit might suffice for the Department. The overlap resulted in some confusion for clients and, of course, required extra resources.

Decentralization exists, but is not carried out on a departmental basis. Some branches have regional offices. This may confuse clients who expect to get the full range of services from a regional office of the Department of Labour. It also results in duplication of support staff services in most regions.

In established regulatory areas, such as the enforcement of labour standards, the main requirement is continued enforcement, particularly in respect of the trucking industry which generates half of the violations.

With respect to the Canada Labour Relations Board, the basic issues were, paradoxically, slowness and over-staffing. Staff could be more effectively utilized if the Board were decentralized, and part-time members appointed. On the other hand, months often elapsed before decisions were rendered, in part because of a tendency towards extremely lengthy written judgements. Where possible, comparisons have been made with like services in the provinces, and with similar services in other federal departments. Both the mediation and conciliation service and the library of the department, and the Labour Relations

Board were found to be using more staff than comparable provincial or federal agencies to deliver similar volumes of service.

Some excellent information services (e.g. Industrial Relations Information Service, Labour Library) were not being widely used. In the case of the Industrial Relations Information Service, the Department has made a conscious effort not to publicize the service widely so the demand will not exceed its capacity to deliver. This results in uneven public accessibility to the programs.

Some educational programs are highly experimental. However, the need was apparent to examine some of the experiments like the Quality of Working Life Program, the Technology Impact Research Fund, and the Technology Education Program, and to test whether their continued existence could be justified in terms of practical results. On the other hand, the Financial Assistance for Labour Education Program seemed to be a resounding success.

REMEDIAL ACTION

In the view of the study team reductions in person-years and funding are warranted in a number of programs. The proposed reductions recommended to the Task Force for consideration by the government add up to approximately 66 person-years and $4 million.

In the regulatory areas some restructuring is expected to increase effectiveness and efficiency. With respect to labour standards, the introduction of a set of progressively higher penalties should eliminate repeat offences, and increase the effectiveness of the program. In the mediation and conciliation area, modest reorganization to reduce the very heavy overhead burden could increase efficiency without impairing effectiveness.

In the view of the study team the Canada Labour Relations Board also should have a reduction in administrative and support staff, but an increase in the number of board members and vice-chairmen. Its effectiveness should be increased through decentralization with the appointment of regional panels. Consideration should also be given to whether a tripartite Board, like those which exist in the provinces, might not be superior to the present "neutral" type of Board.

In the information area, a major restructuring is desirable. Consolidation of several units would result in a single, more effective departmental unit. The study team recommends to the Task Force that the government consider consolidating the library, the Industrial Relations Information Service, the Labour Data Branch which includes the Collective Bargaining Division, the Legislative Analysis and Research unit, and the Program Planning and Technical Support unit from the Mediation and Conciliation Service. Consolidation and other adjustments called for in the assessment reports, should reduce the resources required by a significant amount.

In the education area, those activities which are not strongly supported by clients, and have not yielded strong evidence of practical results should be discontinued. The study team recommends to the Task Force that the government consider ending University Research Grants, Unsolicited Grants and the Quality of Working Life program, and allowing Technology Education and the Technology Impact Research Fund to terminate in 1986 as planned.

CONDITIONS OF WORK
Labour Canada

OBJECTIVE

To protect approximately 650,000 Canadian workers employed in businesses under federal jurisdiction from unfair treatment by developing, administering and enforcing legislated labour standards.

AUTHORITY

Part III of the Canada Labour Code
Fair Wages and Hours of Labour Act

RESOURCES ($000's)

	81/82	82/83	83/84	84/85	85/86
Salaries and Wages	3,256	3,308	3,213	3,821	4,022
Other O&M Expenses	178	237	266	296	291
TOTAL	3,434	3,545	3,479	4,117	4,313
Person-Years	97	93	89.5	97	105.5

PROGRAM DESCRIPTION

This program is highly decentralized with approximately 90% of the person-years at regional and district offices, and 10% at headquarters. There are five regional and 25 district offices across Canada. Almost 30% of the person-years in the field are for support staff.

Field officers respond to complaints from employees, both unionized and non-unionized, of violations of Part III of the Canada Labour Code which covers hours, wages, vacations, holidays, and unjust dismissal, and of the Fair Wages and Hours of Labour Act. An officer checks out each complaint received with the worker and the employer. When the complaint is valid, the employer is directed to take the appropriate action to comply with the law. In one per cent of all cases, court action is required to settle the complaint.

In 1983/84, there were 2,421 complaints, and 572 cases of unjust dismissal. Seventy-five per cent of the complaints, other than unjust dismissal are related to disputes over vacation pay, statutory holiday pay, overtime pay, and severance pay. More than 50% of the complaints are generated by the road transportation industry. A majority of complaints come from the non-union sector.

The cases of unjust dismissal relate only to non-union labour. Most cases of unjust dismissal are solved by the labour affairs officers. If a case has not been resolved within 60 days, a report is made to headquarters and the Regional Director can recommend to the Minister that an adjudicator be appointed. An adjudicator is then appointed from the list maintained by the Federal Mediation and Conciliation Service.

According to Section 63 of Part III of the Canada Labour Code, labour affairs officers may perform inspections to ensure that labour standards are maintained. In regions where complaint backlogs exist, few routine inspections are conducted. In 1983/84, there were 972 inspections and violations were discovered in 25% of the cases.

In addition, Labour Canada can grant to companies permits for exemptions from either Part III or the Fair Wages and Hours of Labour Act. Currently, most permits require the Minister's approval. In 1984/85, 175 such permits were granted.

BENEFICIARIES

The Canada Labour Code regulates employment conditions in 29,000 establishments, including 650,000 employees. The number of employers and employees regulated by the Fair Wages and Hours of Labour Act (FWHLA) is unknown, but is likely to be considerable. The provisions of the FWHLA are included in every federal construction contract, except in Quebec.

DEPARTMENTAL EVALUATION

A program evaluation and internal audit was performed in 1983. The major recommendations were as follows:

1. Eliminate all permit applications and investigations.

2. Hours of work provisions should be eliminated from fair wages legislation, and reliance placed on provincial protection.

3. Rescind the Fair Wages Policy Order and use union wage scales and provincial labour standards legislation instead.

4. Set a minimum penalty for offending and impose progressive penalties for repeat offending.

5. Improve service to the currently employed through increased education and inspections.

6. Make strategic planning a priority for the Conditions of Work Program.

7. Streamline and standardize program activities.

OBSERVATIONS

Since the program is decentralized, there have been problems with different concepts being applied in different regions. A draft Compliance Policy prepared in May, 1985 should correct this problem.

Some unionized employers believe that Part III should not apply to employees covered by collective agreements, because they believe the employees should be free to trade-off (e.g. higher wages for fewer holidays) if they wish. Also, the employers believe it is confusing to have to keep track of the collective agreements, and a labour standard which is subject to change, and to ensure that the collective agreements are up to standard.

Companies complain about the amount of detail required to get a permit and the fact that it often takes two months to obtain one.

One hundred and thirty complaints were received in 1984/85 with respect to violations of this Act. Fewer than 50% were valid.

Part III does provide for fines on summary conviction, but judges have often levied fines much lower than the maximum provided in the legislation.

ASSESSMENT

Consistency in the application of the policy is absolutely essential, especially when so many of the employers are nation-wide companies.

The Fair Wages and Hours of Labour Act should be retained instead of relying on provincial legislation, which is not necessarily uniform. Also, the Canadian Federation of Labour would prefer to see the Act remain in place.

It seems reasonable that collective agreements should be developed within a certain framework of law and standards. Therefore, Part III should apply to organized as well as non-organized labour.

OPTIONS

The study team recommends to the Task Force that the government consider retaining and strengthening the program. Specific administrative suggestions are to:

- continue to develop a consistent policy and streamline and standardize program activities to eliminate all backlogs;
- set a minimum penalty, and impose progressive penalties for repeat offenders. Amend the legislation giving the Department the right to levy fines upon the finding of a valid complaint;
- rule on permits for exemption within two weeks, and delegate approval authority to Regional Directors.

WORK BENEFITS
Labour Canada

OBJECTIVE

To reimburse uncollected wages to former employees of employers subject to the Canada Labour Code.

AUTHORITY

Canada Labour Code.

RESOURCES ($000's)	**83/84**	**84/85**	**85/86**
Salaries and Wages	12	12.5	4
Other O & M Expenses	7	7.5	2.5
TOTAL	19	20	6.5
Person-Years	.5	.5	.25

DESCRIPTION

Under section 23 of the Canada Labour Standards Regulations, employers in the federal jurisdiction are required to pay to the Minister of Labour wages owing to their former employees who cannot be located "no later than six months after the wages become due and payable".

Labour Canada searches out the mailing address of such workers in cooperation with Revenue Canada, and informs them of the availability of the funds.

BENEFICIARIES

Former employees of employers who are subject to the Canada Labour Code.

EVALUATIONS

This program has never been evaluated.

OBSERVATIONS

Most affected employees involved are hired on a temporary basis. Approximately 30% of such former employees are found at the addresses submitted by the employer to Labour Canada.

Some employers are clearly not doing a search for former employees. Rather, they allow the six-month time period to lapse and then forward wages for Labour Canada to conduct the search at taxpayers cost.

Section 24 of the Canada Labour Standards Regulations states that an employer must keep in his records for three years a social insurance number and address for each employee. This requirement is widely violated and not enforced by Labour Canada.

Of 25,076 searches carried out for the years 1982 through 1984, only 8,508 employees were found which results in a 34% success ratio. Out of 29,025 current accounts, 22,368 names have no social insurance number attached. Fewer still have addresses.

In 1984, firms turned over $616,000 representing uncollected wages of 6,621 persons (average $93.00). The department, at a cost of $27,000, returned $156,000 to 2,018 workers (average cost of $13.00; average return of $76.00).

ASSESSMENT

Section 23 of the Canada Labour Standards Regulations requires amendment.

Labour Canada is not properly monitoring or enforcing sections 23 and 24 of the Canada Labour Standards Regulations.

Some employers, it appears, are avoiding search costs.

It is not clear why the federal government should play any role in this area. However, it is clear that costs involved are high relative to funds received by workers.

OPTIONS

The study team recommends to the Task Force that the government consider maintaining this program with major alterations to the regulations so that:

- employers keep evidence of sending notification to last known address;
- employers send money to the government if an employee has not been located within a year; and

- government retains the money in a separate account for two years, after which it becomes part of the Consolidated Revenue Fund.

FEDERAL MEDIATION AND CONCILIATION SERVICE
Labour Canada

OBJECTIVE

To prevent and resolve federal jurisdiction bargaining disputes through conciliation and mediation, and to assist in resolution of grievance disputes and cases of unjust dismissal.

AUTHORITY

Canada Labour Code Part V and Part III.

RESOURCES ($ Millions)

	83/84	84/85	85/86
Salaries and Wages	2.6	2.9	3.1
Other O & M Expenses	.7	.9	.9
TOTAL	3.3	3.8	4.0
Person-Years	65	67	69

DESCRIPTION

The Canada Labour Code sets out procedures, which parties must follow when an impasse is reached in direct negotiations. The Code provides options to resolve disputes which the Minister exercises on the recommendation of the Federal Mediation and Conciliation Service (FMCS). The Service also appoints arbitrators in grievance disputes and adjudicators in claims of unjust dismissal.

The FMCS is comprised of three components: Mediation and Conciliation Branch, Arbitration Services' Branch, and Program Planning and Technical Support Branch.

Mediation and Conciliation

At full strength, this component has 23 conciliation officers and 30 other staff located regionally across Canada. The branch is involved in the conciliation and mediation of disputes; appointment of conciliation commissioners, conciliation boards, fact-finders and industrial inquiry commissions; investigation of unfair labour practice complaints and preventative mediation assignments.

In 1983/84, officer caseload consisted of 297 conciliation assignments; 25 mediation assignments; 29 preventative mediation assignments and 36 unfair labour practice investigations, for a total caseload of 387.

Arbitration Services

This branch, with three officers and five other staff located in Ottawa, investigates requests to the Minister for appointment of arbitrators, appoints arbitrators and arbitration board chairmen, and appoints adjudicators to hear complaints of unjust dismissal lodged by employees not subject to collecive bargaining. Officers index awards filed by federal arbitrators and adjudicators and publish them monthly in the Arbitration Services' Reporter.

Program Planning and Technical Support

This unit, located in Ottawa, has eight person-years and is engaged in operational research, analysis of industrial relations problems and policy development. Each officer maintains expertise in specific federal industries and, when required, provides assistance to conciliation officers.

BENEFICIARIES

Labour, management and the public-at-large when the adverse effects of a strike or lockout are avoided.

EVALUATIONS

In 1983, the Auditor General conducted an audit of Labour Canada and found no management deficiencies in the FMCS.

OBSERVATIONS

During 1983/84, 530 collective agreements were renegotiated. Nearly 44% were concluded by the parties during the course of direct bargaining.

The FMCS plays a vital role in averting many potential strikes and lockouts which could be detrimental to the national economy. In 1983/84, FMCS settled 90% of the disputes referred to it without a work stoppage. This success ratio has been maintained over a ten-year period.

Workload comparisons between federal and provincial mediation and conciliation branches by officer and by person-year in 1983/84, show:

	Conciliation Officers	Case Load	Per Officer
B.C.	7	403	57.5
Ont.	30	3,652	122
Fed. Govt.	20	387	19.5

	Conciliation Officers	Other Staff	Case Load	Per Person-Year
B.C.	7	4	403	36.5
Ont.	30	17	3,652	78
Fed. Govt.	20	30	387	8

Due to the high-profile nature of many federal cases, and the adverse economic impacts of work stoppages, FMCS is obliged to devote considerable time and expertise in some cases to avoid a strike or lockout. Further, FMCS has to service enterprises in all provinces and in the Yukon and Northwest Territories. This requires decentralization which demands higher resource levels than are required in provincial jurisdictions.

The Arbitration Services' Branch in 1983/84 investigated 115 requests for appointment of arbitrators, 140 requests for appointment of adjudicators and analysed, indexed and reported in the monthly Arbitration Services' Reporter on 376 arbitration awards and 63 decisions relative to unjust dismissals.

The program planning and technical support unit's work involving mostly operational research (information-gathering), is difficult to quantify. A major project was a study of containerization in North American ports. Currently, an officer is attending parliamentary committee hearings on railway pensions and other controversial labour relations matters.

The PP&TS Branch has given specialized advice to the Minister of Transport in the development of the Canada Shipping Act and deregulation of airlines. Prior to 1975, this unit was a division of the Economics Research Branch but due to lack of speedy responses to FMCS was subject to criticism by the Minister of the day. This resulted in the establishment of the unit within FMCS.

ASSESSMENT

The ultimate sanction available to both labour and management is a strike or lock-out, both of which have the potential to seriously harm the economic well-being of the nation. The primary role of the Federal Mediation and Conciliation Service is to assist in resolving collective bargaining disputes in key national industries, thereby preventing the use of these last-resort sanctions.

Statistical caseload per officer or person-year in the Federal Mediation and Conciliation Service is substantially less than the caseloads of counterparts in provincial jurisdictions.

The Department points out that the nature of the caseload differs; that the federal caseload has a much higher percentage of extremely high-profile cases to which large amounts of time and expertise must be devoted. Additionally, the smaller volume of cases must be serviced from decentralized locations to be serviced effectively and the consequences of a strike or lock-out in the federal jurisdiction are much more serious than in provincial jurisdictions. These factors justify a considerably higher resource level than is required in provincial branches.

At the same time, it is very clear that the Federal Mediation and Conciliation Branch has a high ratio of other staff per conciliation officer in comparison to provincial branches. This extremely high level of other staff substantially contributes to the much lower workload per person-year in the federal system.

To assist Labour Canada in achieving government restraint objectives, FMCS intends to reduce by 10% the complement of the service by 1989/90.

Based upon research of available data and input from labour, management and public service employees, the study team is convinced that additional economies can be made in this area, through reorganization without damaging the effectiveness of the Service.

OPTIONS

The study team recommends to the Task Force that the government consider maintaining the Service while:

- reducing staff in the Mediation and Conciliation Branch and the Arbitration Branch commencing in

1986/87 by 5% each year for three years, in addition to the reductions now planned and referred to previously;

- combining the Program Planning and Technical Support Branch into a Bureau of Labour Information together with the following programs:
    - Labour Data Branch, including Collective Bargaining;
    - Labour Library;
    - Industrial Relations Information Service;
    - Legislative Analysis and Research.

CANADA LABOUR RELATIONS BOARD

OBJECTIVE

To contribute to and promote effective industrial relations in any work, undertaking or business that falls within the authority of the Parliament of Canada.

AUTHORITY

Canada Labour Code Part V

RESOURCES ($000)

	81/82	**82/83**	**83/84**	**84/85**	**85/86**
Salaries and Wages	2,647	3,068	3,481	3,642	4,018
Other O&M Expenses	1,040	1,207	1,443	1,439	1,307
Capital Expense	30	20	35	35	31
TOTAL	3,717	4,295	4,708	5,116	5,446
Person-Years	89	93.9	98.5	98.3	104

DESCRIPTION

The Canada Labour Relations Board is an independent quasi-judicial body empowered to certify bargaining agents and to adjudicate complaints regarding violations of the Labour Code and certain other disputes in the area of industrial relations. The Canada Labour Code provides for a Chairman, from one to five Vice-Chairmen and from four to eight Board Members appointed by Governor-in-Council. The Chairman reports directly to Parliament through the Minister of Labour. Terms for those on the Board are up to 5 years for Board Members and up to 10 years each for the Chairman and Vice-Chairmen.

Part V of the Labour Code, administered by the Canada Labour Board applies to approximately 650,000 employees across Canada in federal industries (e.g. industries that are interprovincial or international: essentially transportation, communications, and banking). All industries in the Yukon and the Northwest Territories are also included.

In addition to headquarters in Ottawa, the Board has five regional offices located in Vancouver, Winnipeg, Toronto, Montreal and Halifax. Applications and complaints and other submissions may be made at any of these offices. Officers are available to respond to inquiries, conduct investigations and provide assistance to parties to settle complaints or unlawful strike/lockout situations. There are 16 officers and eight support staff in the Regions plus three officers in Ottawa. Two-thirds of the case load is in Ontario and Quebec.

BENEFICIARIES

All employees covered by the Labour Code.

DEPARTMENTAL EVALUATION

No evaluation has been carried out. However, studies have been done by the Law Reform Commission (1980) and by J.E. Dorsey, a former Vice-Chairman (1983).

The Law Reform Commission recommendations included amending the Labour Code to provide for a larger number of members, consisting of equal representation from management and labour. This recommendation was not acted upon.

J.E. Dorsey was critical of the Board's make-up saying it was tilted towards a bilingual central Canada, employers and legal background. Recent Board appointments indicate a move to correct this imbalance.

OBSERVATIONS

The Canada Labour Relations Board is non-representational (i.e. the members are considered non-partisan). All provincial boards are tripartite where the Chairman and Vice-Chairmen are considered neutral and the members are composed of an equal number of union and employer representatives. The debate on non-representational versus tripartite has continued since the inception of the present board back in 1972. Whether a non-representational Board or a tripartite form of board is to be preferred has been a matter of debate since the CLRB was founded in 1972. The study team has not had an opportunity to consider this matter in sufficient depth to come to an unequivocal view as to which form of board is superior.

In 1983/84, the workload of the Canada Labour Relations Board was very light compared to the equivalent Ontario and British Columbia boards:

	CANADA	**ONTARIO**	**BRITISH COLUMBIA**
Total Cases	771	3,135	4,969
Cases per person-year	7.7	29.8	70.9
No. of Hearings	209	1,315	449
Hearings per person-year	2.1	13.8	6.4
Days per hearing	1.1	1.3	N/A

The time required to reach a decision was significantly longer than the provincial boards interviewed (Ontario, British Columbia and Nova Scotia.) For example, in 1984/85 Canada Labour Relations Board required an average of 129 days for certification and 155 days average for all cases (Ontario was 52 and 60 days.)

Two factors affect the ability of the Board to handle its volume of cases: travel and use of both official languages. These factors result in more time per case, but cannot justify handling only 25% of the Ontario and 10% of the British Columbia case load per person-year.

The caseload has increased from 310 in 1973/74 to 779 in 1984/85. At the same time, the backlog has increased to 385 at the end of 1984. This backlog represents in excess of six months work at the present rate.

Users made the following criticisms of the Board.

- Delay in reaching decisions especially in the area of certification.
- Slow response to emergencies in outlying areas.
- Some inconsistency in decisions.

ASSESSMENT

In the view of the study team the Canada Labour Relations Board is overstaffed in relation to workload, even allowing for workload factors not found in provincial boards.

The backlog continues to increase and unless dealt with will lead to further delays in reaching decisions and increased criticisms.

The efficiency of the Board, and speed of case-load handling, can be improved by reducing total time burdens by decentralizing adjudication. Part-time Vice-Chairmen and members should be appointed, at least in Vancouver and Halifax.

The pros and cons of a tripartite board as opposed to a non-representational board should be carefully assessed, because it is possible that members of a tripartite Board might identify more closely with the problem situations, and be able to find solutions more quickly.

OPTIONS

The study team recommends to the Task Force that the government consider:

- dencentralizing the adjudicative function, at least to Vancouver and Halifax;
- appointing part-time Board members and Vice-Chairmen;
- reducing Board staff by 25 per cent; and
- initiating an assessment of the pros and cons of a tripartite Board versus a non-representational Board, with a conclusion to be reached by March 31, 1986.

LEGISLATIVE ANALYSIS AND RESEARCH
Labour Canada

OBJECTIVE

To provide information on all Canadian Labour law and analyse all new or revised labour legislation.

AUTHORITY

Estimates

RESOURCES ($000's)	**82/83**	**83/84**	**84/85**	**85/86**
Salaries and Wages	136	168	165	173
Other O&M Expenses	17	17	21	21
TOTAL	153	185	186	194
Person-Years	5	5	5	5

DESCRIPTION

The primary responsibility is to analyse labour legislation in Canada and to keep informed of significant new developments in the U.S. The work can be divided into three main categories.

1. The preparation and maintenance of a data base on labour law covering both the federal and provincial jurisdiction. This data base consists of the following volume of standing legislation:

   Industrial Relations: 139 Acts and 27 Regulations
   Employment Standards: 150 Acts and 110 Regulations
   Occupational Health and Safety: 240 Acts and 570 Regulations
   Workers' Compensation: 25 Acts and 40 Regulations
   New bills and regulations: about 150 per year.

   Fifteen comparative reports are produced periodically. These reports discuss the various legislation and review changed legislation in the fields of occupational health and safety, workers' compensation, employment standards, and industrial relations.

2. Providing a prompt response to queries on labour legislation. This service is used mainly by the federal government but also used by provincial governments, labour organizations, companies and universities. The branch handles over 1,300 enquiries annually. These enquiries come from the following:

   550 - federal government (350 Labour Canada)
   240 - provincial governments
   100 - labour organizations
   100 - universities
   90 - employers
   220 - others (inc. women's groups, law firms, consultants)

3. Carrying out special studies. Examples of topics studied are mandatory retirement, part time work, reduction in hours of work.

BENEFICIARIES

The users of the service.

EVALUATION

No departmental evaluation has been carried out.

OBSERVATION

This program provides an informed and respected source of information on the content and application of all Canadian labour legislation.

ASSESSMENT

This program could almost be described as "essential" to the efficient operation of Labour Canada, and the provincial departments of labour. The centralized data base and the capacity to analyse legislation and proposed legislation, is an important service to those involved in interpretating and reviewing legislation and to those drafting new legislation.

OPTIONS

Accordingly, the study team recommends that the government consider creating a unified Bureau of Labour Information by:

Amalgamating Legislative Analysis and Research, Labour Data Branch which includes the collective bargaining division, library, Industrial Relations Information Service, and the Program Planning and Technical Support Unit from the Federal Mediation and Conciliation Service with a 30% saving in overall person-years. (See also program assessments that follow on Industrial Relations Information Service, Labour Library, Collective Bargaining Data and Women's Bureau).

INDUSTRIAL RELATIONS INFORMATION SERVICE
Labour Canada

OBJECTIVE

To provide the Canadian Industrial Relations Community with accurate information relating to collective bargaining.

AUTHORITY

Department of Labour Act, Section 4.

RESOURCES ($000's)	**82/83**	**83/84**	**84/85**	**85/86**
Salaries and Wages	230	264	267	275
Other O&M Expenses	139	117	159	118
TOTAL	369	381	426	393
Person-Years	8	8	8	8

DESCRIPTION

The concept of an information service for collective bargaining and industrial relations practitioners originated with the Canada Labour Council in 1975. Efforts were made in 1976 and again in 1978 to establish this proposed information centre as a Crown corporation with a tripartite governing council. Both these efforts failed mainly due to lack of support for a tripartite organization. In May 1981, Cabinet approved establishment of an Industrial Relations Information Service (I.R.I.S.), to be carried out as a branch of Labour Canada. The program was announced in August 1981.

Essentially, IRIS is a "one stop shopping centre" for information relating to collective bargaining. A client phoning IRIS for information is put in contact with the appropriate information officer, who prepares a "tailor made response" after reviewing federal, provincial and private information sources.

IRIS advertises its service only through special presentations at employer and union conferences.

BENEFICIARIES

Potential beneficiaries include all Canadians (labour and management) employed in the personnel-labour relations field. Present beneficiaries are a rather small number who are aware of the service. However, it should be noted that immediate users are not always the ultimate consumers.

EVALUATION

An internal evaluation was carried out in 1984. The recommendations were that a client survey be carried out, and that an analysis of requests be made.

The client survey was completed in March 1985. Clients rated IRIS staff very highly and said information provided was very valuable.

The analysis of the requests indicated 80% of the requests were for information relating to collective bargaining.

OBSERVATIONS AND ASSESSMENTS

Since the program started in 1981, the number of requests has varied from 1,500 to 1,800 annually. However, for the last several quarters, requests have been running at more than 500 per quarter. This would indicate an expected increased annual total of 2,000. Knowledge of the service provided by this branch is not widespread, especially outside central Canada.

IRIS has recently distributed a compendium of collective bargaining information sources to 5,000 clients and potential clients, throughout Canada. This will increase knowledge of the service available, and lead to increased requests for information.

Management, labour, association and provincial government clients who use IRIS appear to be pleased with the prompt response and with the reliable and current information.

Parties involved in collective bargaining need to be well informed of current labour trends, rates of pay, levels of benefit etc. Larger organizations which can afford to maintain a labour relations research staff can gather the necessary data; however, smaller organizations lack the resources to keep their negotiators well informed.

IRIS is a key part of a complex of Labour Canada information or data-base services. Amalgamation of the units would reduce overlaps and produce economies of operation.

OPTIONS

See assessment of the Legislative Analysis and Research Program of Labour Canada.

LABOUR LIBRARY
Labour Canada

OBJECTIVE

To provide library services to the Department of Labour; to be a national resource for information in industrial relations.

AUTHORITY

The Estimates.

RESOURCES ($000's)	**81/82**	**82/83**	**83/84**	**84/85**	**85/86**
Salaries and Wages	447	437	460	449	472
Other O & M Expenses	134	125	166	274	540
Capital Expenses	19	-	18	18	84
TOTAL	600	562	644	741	1,096
Person-Years	12	*15.5	15.5	15.5	15.5

* Women's Bureau and Occupational Safety and Health Resource Centres person-years were integrated, but not the actual libraries.

PROGRAM DESCRIPTION

The library maintains the best collection of current and historical books and periodicals on labour subjects in the country. It is open to members of the public, who may obtain material directly or through inter-library loan.

The library has a reference service which responds to internal and external client requests directly. It also responds indirectly through the Industrial Relations Information Service (IRIS) to those external requests received directly by IRIS. The latter is done through the Library's Laborline. Inquiries also come to the library through Labour Canada's regional offices.

In 1981, the library introduced Laborline, which is a computerized bibliographic data base of Labour Canada's library services. It contains the cataloguing records for resources added to the library since September 1981. Currently, Laborline contains more than 20,000 bibliographic records. It is available for direct online searching by users outside Labour Canada through Comshare Limited. To date, seven outside agencies have accounts for Laborline and an additional four have requested access.

BENEFICIARIES

Government, employers, unions, universities and all individual researchers into labour matters are beneficiaries. A breakdown of client requests is shown below:

	83/84			84/85		
	Dept.	Other		Dept.	Other	
Loans	4,179 +	2,061 =	6,240	4,749 +	2,883 =	7,632
Reference	1,448 +	1,564 =	3,012	2,622 +	3,654 =	6,276

A further analysis of the reference requests in 84/85 reveals the following clientele:

Labour Canada	42%
Other federal departments and agencies	29%
Unions	2%
Private Sector	19%
University	8%

DEPARTMENTAL EVALUATION

An internal departmental audit recommended in 1983 the installation of humidity and dust control equipment.

OBSERVATIONS

The broad availability of information within the Labour Canada library is not well known by the general public.

There is an overlapping in information services provided by the library, and those provided by the Industrial Relations Information Service and the Collective Bargaining Division. The last two units are part of a different branch than the library.

The library's quarters are cramped, the storage facilities are poor; climate control is needed to prevent deterioration.

A rough comparison of the Labour Library with three other government libraries yields the following:

	84/85		
	Total Staff	**Loans**	**Reference**
Labour	15.5	7,632	6,276
Finance/ Treasury Board	16.8	17,304	10,296
Employment and Immigration	16	17,200	6,300
Statistics Canada	27	28,709	11,668

It is possible that some libraries have included less substantive reference requests in the number above, and that others have not. However, the loans give an indication of volume of business relative to size of staff.

Laborline requires resources because Labour Canada is responsible for all the input, and for the development of a thesaurus, or guide for searching Laborline, which is made available to all users. The Labour Library, itself, finds Laborline too expensive for storage and inappropriate for bibliographies, and would like to find a better system.

ASSESSMENT

In the view of the study team the library offers a valuable service which should be maintained. By comparison with other libraries the Labour Canada Library would seem to be overstaffed. If it were staffed comparably to the other institutions listed above, it would have nine people. Although the comparison above is very general, it would seem desirable to reduce the staff to some extent.

The need for continuation of Laborline is not clear.

It would also seem reasonable and efficient to consider a greater integration of Labour Canada's information services so that requests do not wind their way from one division to another. During this integration the total resources required should be closely examined.

OPTIONS

See asessment of the Legislative Analysis and Research Program of Labour Canada.

COLLECTIVE BARGAINING DATA
Labour Canada

OBJECTIVE

To provide statistical and analytical measures on industrial labour relations structures and processes for union, business, and government decision-making.

AUTHORITY

The estimates.

RESOURCES ($000)

	81/82	82/83	83/84	84/85	85/86
Salaries and Wages	1,200	1,173	1,102	1,250	1,250
Other O & M Expenses	220	202	199	252	250
TOTAL	1,420	1,375	1,301	1,502	1,500
Person-Years	32	28	32	32	32

DESCRIPTION

The Collective Bargaining Division monitors contract negotiations covering 500 or more employees throughout Canada. (577 such agreements expired in 1984.) Two internal reports are prepared monthly mainly on the status of negotiations and to identify any problem that may delay or prevent settlements. Highlights of settlements are reported in a monthly publication. An analysis of wage increases is published quarterly.

The division maintains a library comprised of:

1. all collective agreements in the federal jurisdiction;
2. most collective agreements in the provincial jurisdiction covering more than 100 employees.

There are now over 8,000 collective agreements in the Library. The division codes and processes the wage and non wage provisions in the agreement covering more than 500 employees.

The division's publications constitute a major information base for collective bargaining and related labour matters. The following is a list of publications:

1. Collective Bargaining Review - Monthly
2. Major Wage Settlements - Quarterly
3. Calendar of Expiring Agreements - Annually
4. Provisions in Collective Agreements in Canada - Annually
5. Strikes and Lock-outs in Canada - Annually
6. Directory of Labour Organizations in Canada - Annually

Approximately 1,000 enquiries are received annually. These enquiries are just about equally divided among government, union, employer and universities. About 100 of these enquiries are from the Industrial Relations Information Service of the Department of Labour, and would be somewhat complex as IRIS could respond to most of the questions relating to collective bargaining on the basis of information contained in the publications listed above.

BENEFICIARIES

Various federal government departments, industrial relations practitioners, union, private industry researchers and the general public.

EVALUATIONS

No evaluations have been carried out. However, an external inquiry favoured:

1. the monitoring of collective agreements covering 200 to 500 employees, on the wage side, for greater accuracy in capturing short-term changes and better private sector representation;

2. on the non-wage side, extending the collection for a short list of 12 to 15 items, into collective agreements covering 200-500 employees.

This should eliminate the possibility of overstating what the average employer provides by way of a benefits package.

OBSERVATIONS

The branch has consolidated the four monthly publications into one now called the Collective Bargaining Review. The branch continues to publish one quarterly and four annual publications. The information contained in these publications is interesting and informative, but much of it is not essential. An evaluation of these publications is currently under way as part of an overall evaluation of departmental publications. It should be possible to eliminate two of the annual publications by combining essential material, and Labour Canada has plans to do this in 1986-87. The "Calendar of Expiring Agreements" and the "Provisions in Collective Agreements in Canada" will cease to exist.

The bulk of the information contained in the monthly report deals with recent settlements. Canadian Labour Views, a private enterprise located in Toronto, publishes a weekly report dealing with recent settlements. This is more timely than the Collective Bargaining Review, but does not report as many settlements.

ASSESSMENT

The Canada Labour Code requires that Labour Canada keep records of collective agreements in the federal jurisdiction. The provinces have similar legislation, requiring that all collective agreements under their jurisdiction be submitted to the provincial departments of labour. The provinces co-operate by making copies of their collective agreements available to Labour Canada.

Thus, Labour Canada is ideally situated to maintain a comprehensive library of major collective agreements for Canada. The analysis of these collective agreements and reports indicating trends in labour negotiations and monitoring wage trends is useful information to the Canadian Industrial Relations community.

The publications from the Collective Bargaining Division have a wide distribution to an estimated 4,500 recipients. However, many of the recipients view the information as 'not current' and too general. There is a lot of good, necessary information interspersed with information that is 'nice to know'. The information which is disseminated should be reduced to the essentials.

It is estimated that the publications can be reduced by at least 30%. Collective bargaining is the largest unit within Labour Canada, which responds to direct queries from the public. Others are the library, which is being recommended for a reduction in staff and smaller units such as the Industrial Relations Information Service. It appears that some efficiencies might be gained by combining these information-gathering units into a single centre, since the nature of the queries flowing to each of them overlaps significantly.

OPTIONS

See asssessment of the Legislative Analysis and Research Program of Labour Canada.

INTERNATIONAL LABOUR PROGRAM
Labour Canada

OBJECTIVE

To participate in the International Labour Organization (ILO) and promote a certain level of labour standards throughout the world.

AUTHORITY

Delegated from External Affairs.

RESOURCES ($ thousands)	**83/84**	**84/85**	**85/86**
Salaries and Wages	223	234	282
Other O&M Expenses	192	224	238
Capital	2	-	30
TOTAL	417	458	550
Person-Years	5	5	7

Budget for International Relations Division, and incorporates ILO activity.

In addition, Canada contributes $5 million (Canadian) to the ILO annually through the Department of External Affairs.

PROGRAM DESCRIPTION

The International Labour Program coordinates Canada's participation in the activities of the ILO, a tripartite organization of workers, employers, and government. Canada participates in the governing body (when elected), the annual conference, and a number of committees.

The governing body meets in Geneva three times a year. The annual conference takes place for three weeks in Geneva in June. There are normally six employers and six workers on the delegation, as well as four or five representatives from the provinces, and 10 or 12 from the federal departments of Labour and External Affairs. The delegation also includes the Minister of Labour and several Members of Parliament. The reason for the large delegation is that many concurrent meetings take place. Technical committees also meet in Geneva. Canada currently sits on 10 of them.

The International Labour Program manages the ratification of conventions, as the standards adopted by the ILO are called. Canada has ratified 26 conventions, a relatively small number out of the total of more than 150. Another activity of the program is to coordinate the Government of Canada's replies to complaints to the ILO.

BENEFICIARIES

The main beneficiaries are probably outside Canada. In Canada, occasionally workers are beneficiaries when particular complaints result in an improvement of working conditions.

DEPARTMENTAL EVALUATION

A report was prepared on "Canadian Participation in ILO Meetings" by John Mainwaring for the Department of Labour in January 1984. He concluded that an appropriate size for the Canadian delegation could range between 25 and 32 from year to year. He also recommended that Canada should work out a position on the role of ILO standards today, and what Canada wants to accomplish through the system.

OBSERVATIONS

Universally, provinces, employers and labour spokesmen told the study team that they do not fully understand Canada's role in the ILO, and understand even less the process for their own participation. However, management and the provinces generally accept the need for Canada to have a role in international labour matters, and labour is enthusiastic about it.

Provincial officials said they do not know how seriously to take any ILO investigation of them in response to a complaint. Provinces also complain that the way in which a Convention is interpreted by ILO officials is sometimes different from the way in which it is explained by the federal government.

Labour officials would like to see increased governmental support for international labour activities beyond participation in the ILO There is a labour attaché at the Canadian High Commission in London, England, but labour would like more of these positions to exist.

ASSESSMENT

In the view of the study team, participation in the ILO is worthwhile. Although Labour Canada has a meeting to prepare delegates to the ILO for the annual Conference, and discusses the ILO at federal-provincial meetings, it seems that an increased effort in this regard is needed to widen the base of knowledge about the ILO. This could be done through increased federal-provincial meetings, conferences organized by the Department of Labour, the production of published material and more use of audio-visual aids. There is an ILO office in Ottawa, which could be involved in more information exchanges.

Through the process of increased federal-provincial meetings, the provincial complaints about the ILO process should be reviewed and resolved.

Labour Canada should follow up the Mainwaring report, and work out a position on what Canada believes the ILO's objectives and Canada's role should be.

OPTIONS

The study team recommends to the Task Force that the government consider measures to improve public understanding regarding the ILO:

i) through increased federal/provincial meetings, conferences organized by the Department of Labour, increased production of published material and more use of audio-visual aids;

ii) in addition, the government should state what it believes Canada's role with respect to the ILO should be.

FINANCIAL ASSISTANCE FOR LABOUR EDUCATION
Labour Canada

OBJECTIVE

To make available to existing and potential union leaders the knowledge and skills necessary to effectively represent their members in all areas of labour affairs with emphasis on constructive collective bargaining and knowledgeable participation within their communities relative to Canadian socio-economic affairs.

To achieve positive attitudinal changes toward the workplace and to instil better understanding by members of labour organizations of the roles of various participants in labour relations.

To foster and achieve a climate for improved consultation and communication between government, labour and management.

AUTHORITY

Non-legislated initiative of Labour Canada. Funding approval by Cabinet until March 31, 1986.

RESOURCES ($000's)	**83/84**	**84/85**	**85/86**
Salaries and Wages	145	145	146
Other O&M Expenses	3	5	18
Grants and Contributions	4,987	6,035	6,819
TOTAL	5,135	6,185	6,983
Person-Years	3.5	3.5	3.5

DESCRIPTION

Funding is provided to three distinct groups under this program as follows:

- Central Labour Organizations;
- Independent Labour Organizations; and
- Individual Bursaries.

Six central labour organizations, (Canadian Labour Congress, Confederation of National Trade Unions, Canadian Federation of Labour, Canadian Conference of Teamsters, Quebec Teaching Congress and Confederaiton of Democratic Unions), representing 2.7 million workers have three-year funding agreements with the amount of funding varying from $4.3 million to $106,000 per organization, based on a per capita formula. In 1984/85, 80% of the funds went to the six central labour organizations.

Independent unions, ranging in size from 16 with more than 10,000 members each, to 44 with less than 2,000 members each, which represent 500,000 workers must apply for funding annually. The process from application to agreement takes about 3.5 months. Independent unions submit activity reports describing the project in detail. In 1984/85, 19% of the funds went to independent unions.

Union members seeking financing under the bursary program submit applications annually. Successful applicants must submit a detailed activity report upon completion of a project. In 1984/85, 1% of the funds went to individual union members.

BENEFICIARIES

In 1984/85, about 96,000 union leaders and members were assisted either directly or indirectly.

EVALUATIONS

Three external evaluations of this program have been conducted covering years 1977 through 1979, years 1980 through 1981, and a third evaluation, concluded in May of 1985.

The evaluations were favourable and recommended continuance of the program, with a variety of recommendations for improvement.

OBSERVATIONS

Based on recommendations contained in the evaluation reports and interviews with representatives of government, management and labour, it is the opinion of the study team that the labour education program is as essential and appropriate today as it was at commencement in 1977.

The unions are very positive about the program content and process, although they criticize the temporary nature of the program. Unions receive funds to develop their own education program, and are encouraged to use them for areas other than skills upgrading. Many programs relate to non-confrontational methods of problem solving, and heightening awareness of social change (e.g. "Effective Negotiations" Seminar which is based on the recently developed Harvard Negotiation Project).

The view of management varies. Some believe the program is not necessary or should be funded by the labour movement rather than government. Others in management feel that the program is extremely valuable: that the training and education provided to union activists is responsible for more rational arguments and positions relative to industrial relations and also makes it easier to reach sensible effective agreements.

Experienced mediation officers, both federal and provincial, concur that well educated and knowledgeable union leaders stand a better chance of resolving issues and attaining agreements then do their less educated and informed counterparts.

The last external evaluation concluded that the funding had brought an expansion and improvement in the quality of Labour education. It further concluded that, although a considerable activity level would continue if funding ceased, the level of labour education would then be reduced and its quality and relevance would decline over time.

ASSESSMENT

Based on interviews and review of data, the study team concurs with the following recommendations which are contained in the May 1985 evaluation report:

- Labour Canada should continue the Labour Education Program on a longer run, perhaps five-year, basis.
- Labour Canada should create a new category of program sponsor to make Independent Labour Organizations with 10,000 members or more, eligible for multi-year funding. (This would apply to 16 of the 86 independent unions which participated in LEP in 1983/84.

- Labour Canada's program managers should encourage LEP contractors to improve the quality of the audio-visual presentations they produce.
- Labour Canada should amend the contract with program contractors to require the collection of data covering both courses and participants, on a timely basis and in a consistent format.
- Labour Canada should encourage contractors to solicit course evaluations from instructors.
- Funds to independent unions to be made available in May for each fiscal year. The annual deadline for submission of applications to be April 15.

OPTIONS

The study team recommends to the Task Force that the government consider continuing this program indefinitely at the 1985/86 funding level in constant dollars, with the following changes:

a. A new category of beneficiary should be created to make independent unions with 10,000 members or more eligible for multi-year funding.

b. Labour Education program contractors should improve the quality of their audio-visual presentations.

c. Contracts should be amended to require data collection covering courses and participants in a consistent format and on a more timely basis.

d. Contractors should be encouraged to solicit course evaluations from instructors.

e. Funds to independent unions should be made available in May of each year.

f. The program should be reviewed once every five years.

UNIVERSITY RESEARCH GRANTS
Labour Canada

OBJECTIVE

To increase the body of knowledge on labour matters and to stimulate greater interest in this field among scholars in Canada.

AUTHORITY

Department of Labour Act, Section 4.

RESOURCES: ($000's)	**83/84**	**84/85**	**85/86**
Grants and Contributions	40	40	40
TOTAL	40	40	40
Person-Years	-	-	-

DESCRIPTION

The research may be on the economic, industrial relations, social and other aspects of labour, including wages, incomes, productivity, technological change, collective bargaining, labour law and labour history.

Applications are accepted from university faculty members and from Canadian graduate students.

Grants to individuals may range up to $5,000 in any one year. Normally, grants are awarded as contributions toward research expenses. Under some circumstances, grants to graduate students also may include a living allowance.

Applications for grants are reviewed by Labour Canada's university research committee, which includes representatives of Canadian universities and Labour Canada.

BENEFICIARIES

Academic investigators specializing in industrial relations benefit directly. Over the last three years grants varying in size from $800.00 to $5,000.00 were distributed to three Ph.D candidates and to forty-eight faculty members. Over the three-year period, 2.5% of the funds went to the Atlantic Provinces, 22.5% went to Quebec, 52.5% went to Ontario, 10% went to the Prairie Provinces and 12.5% went to British Columbia.

EVALUATIONS

This program has never been evaluated.

OBSERVATIONS

In the majority of cases the research conducted has nothing to do with new and innovative ways of dealing with industrial relations; rather, the research is of a historical nature. In 1985/86, 10 out of the 13 grants pertain to historical research.

Research of this kind can be funded by the Canada Council, the Social Sciences and Humanities Research Council and by Labour Canada. If the research is required in relation to a specific Labour Canada program then it should be funded by that program.

ASSESSMENT

In the view of the study team, this program is a luxury rather than a necessity. No serious consequences would arise if it were cancelled.

OPTIONS

The study team recommends to the Task Force that the government consider cancelling the program.

UNSOLICITED GRANTS
Labour Canada

OBJECTIVE

To support activities in the labour affairs field which the department considers valuable, and which do not qualify for other departmental funds.

AUTHORITY

Department of Labour Act, Section 4.

RESOURCES ($000s)	**82/83**	**83/84**	**84/85**	**85/86**
Salaries and Wages		9	10	10
Grants and Contributions	62	62	62	87*
TOTAL	62	71	72	97*
Person-Years		.25	.25	.25

* Budget increased due to special one-time only grant of $25,000 to McGill University Industrial Relations Centre to continue their programs during financial difficulty.

PROGRAM DESCRIPTION

This program handles unsolicited requests. There is no application form. A departmental committee reviews all applications. There are no formal criteria for assessment, but there must be some relevance to departmental objectives and goals.

BENEFICIARIES

An analysis of the recipients of grants for three years indicates that the department tries to achieve a balance in types of beneficiaries.

Over the three years 1980-81, 1983-84, and 1984-85, 31 grants were made for a total of $183,000, with 26% of the funds going to universities, 13% going to individuals, 50% to institutions or associations, and 11% to labour organizations.

Over the same period, 5% of the funds went to the Atlantic region, 18% to Quebec, 66% to Ontario, 5% to the Prairies, and 6% was unspecified as to location.

DEPARTMENTAL EVALUATIONS

There has been no formal evaluation of this program.

OBSERVATIONS

In 1984-85, $27,000 was given to support publishing and research. An additional $22,000 went to the Niagara Institute, which is already well supported by government and business, and which had received $21,200 from this program the year before. Another $6,000 went to support conferences which are probably of marginal interest to most Canadian workers. The remaining $7,000 assisted projects of serious national interest, but even in those cases it is debatable whether the projects were so dependent on the Unsolicited Grants Program that they would have failed to go ahead without it.

It should also be noted above that in 1985/86, a one-time only increase in the program has occurred in order to assist the McGill University Industrial Relations Centre to overcome its financial difficulty.

ASSESSMENT

In the view of the study team, the program appears to be a luxury rather than a necessity. There would be no serious consequences if it were to be cancelled.

OPTIONS

The study team recommends to the Task Force that the government consider cancelling the program.

QUALITY OF WORKING LIFE
Labour Canada

OBJECTIVE

To promote workplace innovation through the implementation of joint labour-management programs to address workplace problems, in the interests of effecting increased organizational productivity and effectiveness, and improved labour-management relations.

AUTHORITY

The Estimates.

RESOURCES ($000's)

	81/82	82/83	83/84	84/85	85/86
Salaries and Wages	403	480	518	518	527
Other O & M Expenses	391	272	167	197	228
Grants and Contributions	499	490	431	484	625
TOTAL	1,293	1,242	1,116	1,199	1,380
Person-Years	11	13	13	14	14

PROGRAM DESCRIPTION

The program was designed to have a strong facilitating role in bringing management and labour together. The Department of Labour wanted to have a program to effect organizational change. Therefore, it first put money into universities to develop some courses relating to progressive ways for labour and management to solve their problems, and improve the working environment.

Examples of the types of projects are the implementation of quality circles, and the implementation of new technologies to improve the workplace and employee/management relations.

Trained regional officers work with labour and management to develop projects which will qualify for funds. Funding support generally takes the form of "seed-money" to assist organizations in undertaking the initial work necessary to ensure successful project implementation (for example, general orientation/awareness presentations on QWL, securing broad-based union-management support, fact-finding surveys and analysis, and the training of internal facilitators who will sustain the change process). An indication of how the funds are distributed is given below:

Distribution of 1984/85 QWL Funds

		($000)
a.	By Recipient:	
	Institutions	96
	Companies	68
	Unions	51
	Universities	172
	Individuals	64
		451
b.	By Purpose:	
	Projects for Change	141
	Conferences, Courses	245
	Travel, Accommodation, Tuition	64
		450
c.	By Region:	
	Atlantic	90
	Quebec	128
	Ontario	96
	Western	100
	Pacific	37
		451

The total number of grants given in 1984/85, was 84. Of these, 51 were for travel, accommodation and tuition.

BENEFICIARIES

The beneficiaries are employers and employees. The numbers appear to be relatively small, because in many cases a project involves only one plant, or one division of the company. From 1981 to 1985, 53 companies benefited from the program.

DEPARTMENTAL EVALUATION

A comprehensive evaluation by external consultants has recently begun.

OBSERVATIONS

Almost three-quarters of the funds go into activities which are not directly related to specific problem-solving, such as conferences, courses, and travel, and the benefits of which are difficult to quantify.

The CLC has strong negative feelings toward the program, because it believes that management takes advantage of it for "union-busting". The problem is that QWL projects often involve the selection of employees as facilitators to help introduce a new approach. The facilitators selected by management are not those with power in the union, and a competing power structure is set up in the company's labour force.

The program is extremely high-cost to administer; more than half the cost is administration.

There is some provincial activity in this field. Ontario has a provincial Quality of Working Life Centre, which is much more interventionist than the federal program and provides on-site training. Manitoba is beginning to develop a centre. Quebec has a quasi-productivity institute which carries out some QWL activity. British Columbia has B.C. Forum which was begun with federal funds, but now functions as a non-profit institute supported by both the B.C. government and the federal government, as well as through membership fees.

The federal QWL program has a number of publications associated with it. Most are free, but one which is a compendium of contemporary cases sells for $22.00.

The view of the Department of Labour is that the program should probably run for 3 or 4 more years,and then would no longer be required, because managers would have adopted QWL features into their normal activities, and the ideas would have been well-anchored in the universities and the provinces.

ASSESSMENT

In the view of the study team, the program represented a worthwhile effort in 1976, when a great deal of exploratory work and consciousness-raising seemed required. It should now be time to focus the program more so that all the funds go into practical projects.

There is no need to support further research and educational efforts in this broad field.

The program as constituted is so broad that it lacks purpose.

The QWL program does not require large amounts of funding to accomplish its purposes. It can best be looked at as a consulting service.

OPTIONS

The study team recommends to the Task Force that the government consider terminating the program or alternatively change the program into a consulting service, and reduce the funding by 50 per cent.

TECHNOLOGY IMPACT RESEARCH FUND
Labour Canada

OBJECTIVE

To help Canadians better understand, manage and cope with technological advancement through:

1. supporting research studies of the social and human impacts of technological change on the workplace;
2. supporting demonstration and pilot projects that illustrate effective methods of cooperative development and implementation of technological innovation.

AUTHORITY

Estimates. Funding of $5 million approved by Treasury Board for a three-year period ending March 31,1987.

RESOURCES ($000)	**84/85**	**85/86**	**86/87**	**987/88**
Salaries and Wages	60	60	60	60
Other O&M Expenses	20	19	18	17
Grants & Contributions	286	2,010	2,173	-
TOTAL	366	2,089	2,251	77
Person- Years	2	2	2	2

DESCRIPTION

The program was introduced in June 1984. The primary purpose was to increase the understanding by various groups of technological change, with focus on the benefits of technological change as well as the adverse features. This was intended to ensure that all Canadians gained the maximum benefit, (economic and social) from the development and application of technical and scientific knowledge to the work place.

Labour Canada has prepared and distributed a guide for applicants and is prepared to assist in the preparation of the application.

Groups or organizations considered capable of conducting a research project within the terms of the program may apply. Emphasis is placed on projects directly relevant to the workplace, which are carried out by groups or organizations that may be directly affected by technological change and lack the financial resources to carry out this type of research. Thus priority is given to Labour Organizations and Women's Organizations.

Labour Canada screens the applications. Those which meet the criteria are assessed by an interdepartmental review committee.

To date, 32 recipients from the Technology Impact Research Fund are to share in nearly $2 million for related research projects. Of those 32 recipients, 25 are labour organizations, two are women's groups and five are universities.

Examples of some of the projects are:

- To study the impact of technological change in sawmills. Identifying jobs displayed by technology and documenting the problems faced by the displaced workers in re-establishing themselves in the labour force.
- To design, construct and test an ergonomically appropriate laser-scanner check out stand.
- To examine the impact of introducing computerized office systems in a university.

BENEFITS

Several hundred people directly involved in doing the project, plus other workers who will benefit from the research results.

The regional distribution of grants to date is:

	No. of Recipients	**Amount of Grant ($000)**
British Columbia	7	577
Prairies	3	80
Ontario	6	373
Quebec	8	375
Atlantic	3	124
General*	5	423
	32	1,952

* Covers several provinces

DEPARTMENTAL EVALUATION

New program; too soon to evaluate.

OBSERVATIONS AND ASSESSMENT

Of the 32 projects approved, 30 are classified as pure research on the social and human impact of technological change on the work place. The remaining two projects can be considered as demonstration and pilot projects that illustrate co-operation in the development and implementation of technological innovation.

To date, no projects have been completed. Thus, assessment of the program can only be made on the objectives of the program, not on the actual results.

In the view of the study team the purpose is a noble one (i.e. "To help Canadians better understand, manage and cope with technological advancements.") However, how many of the 11 million working Canadians will reap any benefit from this program, can only be guessed at, and our guess would be an extremely small per cent.

Most of the organizations receiving the funds would not have the staff to carry out the work, thus would either have to hire (on a temporary basis) or contract out to a consulting firm or university.

OPTIONS

The study team recommends to the Task Force that the government consider discontinuing the program once all currently allotted funds have been committed.

TECHNOLOGY EDUCATION
Labour Canada

OBJECTIVE

To increase the awareness of trade union leaders of the challenges and opportunities stemming from technological change.

AUTHORITY

Estimates.

RESOURCES (000)	84/85	85/86	86/87
Grants & Contributions	115	285	-

Limited to $400,000 over 2 years

DESCRIPTION

The Technology Education program was introduced to encourage unions to take a broader view of technology related issues. Some unions had adopted the policy that with technological change, companies could stay competitive thus guaranteeing some degree of job security. However, many unions resisted the introduction of technology and attempted to achieve job security through negotiations.

The Technology Education program initially comprised a series of seminars developed in close cooperation with the Canadian Labour Congress (CLC) and other central labour bodies. The subject of these seminars was the issues surrounding technological change in the workplace. Now the department provides the funds to labour organizations to develop the conferences and seminars.

To date, seminars have been held in Alberta, Toronto, Ottawa and a series in New Brunswick. To date, the $400,000 has been disbursed or planned to be disbursed as follows:

Canadian Labour Congress	$295,000
Canadian Federation of Labour	15,000
Seminar by Labour Canada	5,000
Planned for Independent Unions	85,000

The CLC has used $95,000 to sponsor seminars in New Brunswick, Toronto and Ottawa and to retain Decima Research to carry out a survey to determine the attitude of working Canadians toward technological change, its impact on job security, working conditions, etc. The CLC plans to use the remaining $200,000 for a series of regional workshops (Pacific Region, Central Region, Ontario, Quebec and Atlantic Provinces), followed by a National Conference in Ottawa.

BENEFICIARIES

Central labour organizations, some independent unions and an estimated 2,000 Canadians who have attended or will attend the seminars.

DEPARTMENTAL EVALUATION

None has been carried out.

OBSERVATIONS AND ASSESSMENT

This is a "one-shot" program, with the allotted money now almost completely committed.

OPTIONS

The study team recommends to the Task Force that the government consider terminating this program as planned.

OCCUPATIONAL HEALTH AND SAFETY
PROGRAM ASSESSMENTS

INTRODUCTION

Through their constitutional responsibility for labour legislation and labour conditions, provinces are responsible for the occupational health and safety of 92 per cent of the Canadian labour force.

The federal government has a three-fold responsibility:

a. to provide leadership, regardless of jurisdiction, in the areas of research, education and provision of information;
b. to legislate and enforce measures to ensure the health and safety of workers in federal jurisdiction; and
c. to provide preventive occupational health and safety measures for the 225,000 Canadians which it employs directly, and to compensate them for loss due to occupational injury or disease.

Of the 900,000 workers in the federal jurisdiction, some 66,000 were injured in 1984, resulting in 806,000 lost work days.

The programs reviewed include five major programs in two federal departments and one agency which involve more than 700 person-years, and cost about $80 million yearly.

In the case of each program reviewed, the study team considered a) whether the objective of the activity remains valid, b) whether the service is provided in a cost effective manner, c) how the service is perceived by its recipients, d) whether the service can readily be delivered to the provinces, or privatized, or placed on a cost-recovery basis.

ASSESSMENT OF THE THREE FEDERAL RESPONSIBILITIES

National Leadership in Research, Education, and the Provision of Information

The Canadian Centre for Occupational Health and Safety is a federal Crown corporation with an independent quadripartite board. At a cost of $8 million yearly it was created to act as Canada's central information clearing house, to assist in the coordination of research, the development of standards and the propagation of knowledge and understanding.

The Centre has done a fine, but expensive, job of providing information on occupational health and safety. It has not moved effectively on the remainder of its mandate.

The study team recommends to the Task Force that the government consider reducing the budget by 10 per cent in each of the next two years, but restoring the reductions if they are used to meet the unmet portion of the Centre's mandate.

Legislation and Enforcement in the Federal Jurisdiction

The recently passed Bill C-34 extensively alters and modernizes Part IV of the Canada Labour Code, the portion dealing with occupational health and safety. When regulations are promulgated in the spring of 1986, there will be a major shift from emphasis on inspection to emphasis on self-policing through several thousand labour-management health and safety committees.

This major change in the philosophy and nature of the legislation will require considerable staff support from the federal Department of Labour if the workshop committees are to be functional and effective. The study team concurs with this.

The Civil Aviation Medicine Program in Health and Welfare manages the process of periodic medical re-qualification of pilots and other key personnel. Pilots are examined by designated private physicians. Reports of the examinations are reviewed by NHW physicians who recommend whether licenses should be denied.

Review is required of the effectiveness of the American system of relying completely on trained and specialized private physicians and its possible applicability to Canada. In the meantime, computerization and the elimination of significant overstaffing will permit immediate reduction of the costs by 50 per cent without impairing safety.

Preventive Measures and Compensation for Federal Public Servants

In the view of the study team the federal government, as an employer, should comply fully with the new Canada Labour Code, act as a model employer in preventing occupational health and safety problems, and provide adequate compensation for its workers when preventive measures fail.

The Public Service Health Program of Health and Welfare now mixes two functions: routine medical and first aid services for public servants and the preventive role of occupational health and safety (e.g. testing local environments, arranging for the testing of employees in particularly hazardous environments, etc.)

The original need for the federal government to provide its employees with routine medical services no longer exists. Federal employees, like those in the private sector, have access to community health facilities to meet their needs. The time has come to eliminate the duplication involved.

The preventive public service health and safety aspects of the program are being and should be increased. The study team recommends to the Task Force that the government consider cessation of the provision of medical and nursing services for public servants and conversion of the program to play a truly preventive occupational health and safety role.

When preventive measures fail, the federal government pays workers' compensation, at a net cost of $34 million in 1984. The federal government, rather than establish a 13th system of workers' compensation, pays provinces the cost of providing and administering workers' compensation for federal employees in each province or territory. This system is functional and should be maintained, although a change in the Income Tax Act is required to prevent public servants from receiving higher after tax incomes while disabled than when at work.

CANADIAN CENTRE FOR OCCUPATIONAL HEALTH AND SAFETY

OBJECTIVE

To provide Canadians with information and advice about occupational health and safety which is trustworthy, comprehensive, and intelligible in order to facilitate responsible decision-making in the prevention of and protection from occupational diseases and accidents.

AUTHORITY

Canadian Centre for Occupational Health and Safety Act - 1978.
Amendments - 1980, 81, 82, 83, 84.

RESOURCES ($000s)

	83/84	84/85	85/86	86/87
Salaries and Wages	3,247	4,672	5,345	5,348
Other O&M	1,475	2,042	2,401	2,401
Capital	81	931	208	208
TOTAL	4,803	7,645	7,954	7,957
Person-Years	80	136	137	142

PROGRAM DESCRIPTION

The CCOHS is a federal Crown corporation, governed by a tripartite council of governors (39), representing labour, employers and federal, provincial and territorial governments, meeting three times per year to set policy. The Centre reports annually to Parliament through the Minister of Labour.

Utilizing computerized information banks, and organizing access to these, after collection and analysis of scientific information and data, it disseminates information to Canadians free of charge: firstly, responding to enquies by mail, telephone, telex or walk-in; secondly, by means of 88 computer terminals; and, thirdly, by distribution of technical publications, providing a fully developed information and advisory service, backed up by a team of highly qualified scientists (medicine, toxicology, engineering, safety, and law). Three out of four enquiries staff are bilingual.

The number of enquiries responded to has risen from 1,800 in 1981 to 4,484 in 1984. The number of technical publications has risen to 1,373 copies distributed in 1984. The number of direct transactions with the computerized data base has risen from zero in 1980 to 4,140 in 1984.

In order to increase efficiency, the Centre teaches users how to use the 88 terminals and the methodology of providing useful information to Canadians.

CCOHS participates in international information exchanges and draws upon international data bases. CCOHS is creating data bases with specialized information for Canadian needs such as CHEMINFO (for chemicals), INFODOC (for occupational health and safety documents) and Resources Data Base, (which includes resources and where they are located, as well as Canadian studies and research projects).

BENEFICIARIES

As this is not an expenditure program, it is not possible to count recipients. It is, however, clear that in 1984 some 10,000 enquiries were responded to, data base searches conducted, and technical publications distributed. The information benefited a much larger, but unknown number of persons.

DEPARTMENTAL EVALUATIONS

There has been no formal evaluation of the Centre. User satisfaction surveys have been conducted and show a very high rating of 4.2 on a scale of five. A survey of terminal users conducted by the study team shows the same high satisfaction level.

OBSERVATIONS

The Centre's mandate, as outlined in legislation is:

a. To provide the information service now offered.
b. To promote, assist, initiate and evaluate research.
c. To provide advice, information and service to all jurisdictions.

d. To support and facilitate the training of personnel.
e. To sponsor and support public meetings, conferences, seminars.

To date the overriding focus of the Centre's operations has been devoted to the development and provision of the information service.

The information service is in general very highly appreciated by its users, although in some instances, delivery time was longer than the recipient deemed justifiable or the information was not in a form which the recipient found desirable or useful.

The information service is expensive at current volume levels. Although the Centre's cost in providing service and computer terminal access to 88 users (later 300) is declining, and will continue to do so, the service provided remains expensive. The cost of handling the average enquiry is in excess of $1,000.

The Centre has not developed any approaches to the problem of how much research effort to devote to which queries. All enquiries are, in essence, treated as equal. A casual enquiry could result in a considerable amount of work being carried out to provide a response. There is no mechanism for setting priorities, or determining the effort to be devoted to different enquiries. This is likely the result of the lack of any effective budget constraint during the years of rapid growth of the Centre's operation.

It is also noted that about one quarter of the Centre's resources are devoted to its own administration.

The role of the Centre in information provision is, to some degree, duplicated by others. Indeed, a dozen federal departments and agencies maintain libraries and data bases dealing in whole or in part with occupational health and safety at an estimated expenditure of $19 million yearly. It has not been possible to determine what degree of duplication may be involved, nor whether it is desirable or undesirable.

Despite the bilingual capacity of the Centre, observers report some difficulties in access and note that French language requests tend to go to the "CSST", run by the Quebec Worker's Compensation Board. It has one of the Centre's 88 terminals.

While it would be inappropriate, and likely self-defeating, to attempt to cover the $8 million yearly cost of the Centre through cost-recovery, the Centre should develop some means of ensuring that the value of the information provided in response to a query does indeed approximate the Centre's very considerable cost of "hand-crafting" a response.

The federal government, it should be noted, cannot instruct the Centre. It can amend the Centre's legislation or amend its budget, but the Centre remains an autonomous self-governing institution.

ASSESSMENT

The present function of collection, analysis and dissemination of data, information and statistics, using the three avenues mentioned is working well. Continual improvements are observed in quality, quantity, and language understandable to all user-groups. The Centre is generally considered an important resource, which has effected positive workplace health and safety results, although these are difficult to measure quantitatively.

In the view of the study team, the present information function is becoming more expensive than appropriate based on present information outputs, even considering the relative infancy of the Centre. Administrative costs are high.

Other important functions in occupational health and safety as provided for in the Act have not yet materialized.

For a number of reasons, the Board has essentially refrained from activating the Centre's mandate in research or training. The Board should be urged to consider fulfilling its mandate in these and other areas at an appropriate time.

OPTIONS

The study team recommends to the Task Force that the government consider:

a. Reducing the Centre's budget and person-years by 10 per cent from the planned 1986-87 level, and by a further 10 per cent in the year following.

b. Urging the governing board to develop means for setting priorities on inquiries and the resources devoted to responding to them, and for reducing administrative overhead.

c. Informing the Centre that the government will be prepared to consider restoration of the reductions if the Centre puts forward a plan for actively pursuing the portion of its mandate regarding research, training and initiating the development of standards.

OCCUPATIONAL HEALTH AND SAFETY
Labour Canada

OBJECTIVE

To establish and maintain safe and healthy work environments through the enforcement of occupational health and safety standards in enterprises subject to Part IV of the Canada Labour Code.

AUTHORITY

Canada Labour Code Part IV
Financial Administration Act
Bill C-34 - An Act to Amend the Canada Labour Code and the Financial Administration Act.

RESOURCES ($000's)	81/82	82/83	83/84	84/85	85/86
Salaries and Wages	3,749	4,144	4,574	4,847	5,282
Other O&M Expenses	608	648	615	761	951
Grants and Contributions	26	26	26	101	26
Capital Expenses	98	67	8	67	3
Safety Inspection Contracts	1,097	1,067	1,356	910	1,168
TOTAL	5,578	5,952	6,579	6,686	7,430
Person-Years (est.)	131	138	138	134	150

PROGRAM DESCRIPTION

The Canada Labour Code Part IV which deals with Occupational Health and Safety, covers enterprises involving 600,000 employees within federal jurisdictions.

Bill C-34, the recent amendment to the legislation, strengthens the fundamental rights of the worker "to know, participate and refuse"; clearly defines employer/employee duties, consolidates all occupational health and safety legislation and places an emphasis on compliance through self-regulation. Employers will be required to establish Occupational Health and Safety Committees or appoint occupational health and safety representatives at each worksite. 4,000 employers and 33,500 worksites will be involved in enforcement activities. OHS rights are extended to employees not previously covered in the public service and interprovincial transport.

One hundred and five inspectors in five regional and 25 district offices currently inspect, investigate complaints and accidents, survey work environments and establish health and safety committees. OHS inspections have gradually decreased from 4,818 in 1983/84 to 3,805 in 1984/85. They will decrease further when efforts are fully directed to establishing OHS committees.

An OHS headquarters complement of 45 person-years provides industrial hygiene and engineering advice, OHS program materials and policy and regulations support to regions.

A total of 25,902 disabling injuries were experienced by workers in federal jurisdictions in 1983. Occupational injuries and illnesses accounted for 3.1 million workdays lost in federal jurisdictions in Canada in 1979.

BENEFICIARIES

Eight hundred and fifty thousand federal jurisdiction employees and public servants across Canada subject to the Canada Labour Code.

DEPARTMENTAL EVALUATION

Sisk Report 1981 - Labour Canada - OHS - "An Assessment of the Adequacy of Existing Programs and Resources". A formal program evaluation is scheduled for 1985-86.

OBSERVATIONS

Fragmentation of OHS Activity - In certain government operations, no less than five or six government departments may be involved in occupational health and safety activities. Transport Canada, Canadian Transport Commission, Atomic Energy Commission, National Health and Welfare, Canada Oil and Gas Lands Administration (COGLA) and Labour Canada all monitor or enforce various aspects of occupational health and safety in federal jurisdictions. Labour Canada is the only department with full legislative powers.

Gaps in Legislation - Even with the recent changes in legislation, gaps in coverage for beneficiaries exist. There is no current legislation to protect workers operating small fishing vessels, in an industry which experiences a high number of accidents and deaths. Examination of the legislation for other possible gaps is required.

Legal Implications of Bill C-34 - The new legislation provides the Public Service with a three-party system - Treasury Board (manager); Labour; and Labour Canada as enforcer of OHS. The Crown may now prosecute its employees for non-compliance with Part IV of the Code. Concerns have been expressed regarding the legal implications of this situation which have not yet been fully explored.

Scope of Enforcement Activity - The small number of federal inspectors demands that activities be focused on industries which experience high rates of injury and illness. Enforcement responsibilities which demand specialized expertise available in provinces have been delegated. Delegation also takes place in remote areas which are better served by provincial resources.
Few provinces have expressed an interest in taking on full enforcement responsibility for Part IV of the Labour Code, and those who have expressed interest appear to lack resources to handle the task capably.

Implementation of Bill C-34 - Labour Canada will take on the new task of assisting in the establishment, training and development of OHS committees commencing in March 1986. A number of concerns have been expressed regarding successful implementation:

- the lack of staff to assist in the development of OHS committees
- reluctance on the part of employers to establish committees
- skepticism of both management and labour regarding the potential effectiveness of committees
- lack of credibility in the capabilities of present Labour Canada staff, trained essentially as inspectors, effectively to establish the program
- need for new skills on the part of Labour Canada staff to train and facilitate the development of these committees
- slow progress in proceeding with full implementation of the regulations and legislation.

ASSESSMENT

The Occupational Health and Safety Program is currently in a state of transition. The majority of resources formerly used to conduct enforcement activities will, effective March 31, 1986, be devoted to developing OHS committees in a self-regulation program. Training of staff and drafting of regulations to accompany the new legislation is now under way. Given the current state of flux, it is not possible to assess the effectiveness of the new OHS program at this time.

In order to ensure the consistent regulatory treatment of all organizations within federal jurisdiction, particularly those which span several provinces or work outside of Canada, the study team is of the opinion that the Canada Labour Code Part IV must be maintained. There is no apparent reason, however, that the federal Department of Labour could not contract with provinces, as appropriate, to provide services required to enforce Part IV. Since a number of employers operate in both federal and provincial jurisdictions, there might be significant economies in doing so.

A review of legislation is required to identify gaps (e.g., fishermen) and rectify them as quickly as possible.

The legal implications for compliance with Bill C-34 deserve further study.

Duplication and overlap occur in the enforcement of Part IV of the Code by various federal government departments. A formal method of providing for better coordination of efforts must be developed through Labour Canada.

Labour Canada uses a specialist/generalist resource concept to deliver Part III (Conditions of Work) and Part IV (OHS) program enforcement. Emphasis will now be placed on the implementation of Bill C-34, and all resources possible will be diverted to support implementation efforts. Specialists in OHS will be further assisted by generalists, and where necessary, Part III specialists. An additional 17 person-years and $2.45 million have been requested to support program delivery for 85/86. With this addition, no further resources should be required. A review of program effectiveness should be undertaken before additional resources are provided. Program implementation plans appear to be sound.

The Canadian Centre for Occupational Health and Safety should be encouraged to play a strong supportive role to this program through program support for Worksite Health and Safety Committees.

OPTIONS

The study team recommends to the Task Force that the government consider:

- Maintaining administration of Part IV of the Canada Labour Code in Labour Canada.
- Negotiating with Provinces to accept increased delegation of enforcement of Part IV responsibilities.
- Identifying and rectifying gaps in occupational health and safety legislation.
- Investigating legal implications of non-compliance within the Public Service.
- Establishing a formal mechanism more effectively to co-ordinate federal government occupational health and safety activities.

CIVIL AVIATION MEDICINE
Health and Welfare Canada

OBJECTIVES

To assess the medical fitness of civil aviation personnel; update medical standards, and support the Department of Transport Aviation Safety Program.

AUTHORITY

Order in Council PC 94/4516 (Oct 30/46)
Aeronautics Act Bill C-36 Section 55
Health and Welfare Medical Act

RESOURCES ($000's)	**84/85**	**85/86**
Salaries and Wages	1,783	1,844
Other O&M	464	325
Capital	7	30
TOTAL	2,255	2,199
Person-Years	47.7	46.0

PROGRAM DESCRIPTION

Assessment of Medical Fitness

Pilots, flight navigators, engineers and air traffic controllers are required to pay for and undergo medical examinations at regular, periodic intervals to retain their Department of Transport Operating Licences. Nine hundred and twenty-one designated physicians and flight surgeons conduct these examinations which are reviewed and assessed against established standards by 18 regional medical officers in six regional offices.

Investigation of Air Accidents

In 1984, there were 584 air "accidents", 80% caused by human factors; only one quarter of 1% were related to medical causes. Medical investigation and laboratory support services are currently provided by Civil Aviation Medicine for aircraft accidents. After April 1986, this service will no longer be required, since it will be provided by the Canadian Aviation Safety Board.

BENEFICIARIES

Those who fly on Canadian aircraft.

RELEVANT STUDIES AND EVALUATIONS

No formal evaluation has been conducted.

OBSERVATIONS

Assessment of Medical Examinations

All parties consulted in this study supported the need for frequent periodic medical examinations of aircraft operating personnel to minimize the level of accidents and incidents due to health problems.

In 1984, 66,126 examinations were reviewed. The majority of applications were reviewed in five minutes or less. Twenty-five to thirty per cent of medicals reviewed required additional clerical work to correct errors made by examining physicians. There were 131 formal aeromedical review board cases and 440 total cases found unfit from all examinations.

A comparison of the workload with the resources shows very substantial over-staffing. This is borne out by onsite observation and has been the subject of repeated comments made to the study team by persons familiar with the work area.

A new computerized system will remove the reviewing responsibility from regions and centralize it at national headquarters in Ottawa. Only problem cases will then be sent to regions for follow-up.

Examining Physicians

There are no national standards for the 921 examiners. A 25 to 30% error rate exists in the documentation completed by these physicans. Each reporting error or omission must be reviewed or followed up, causing a substantial workload for regional medical officers and support staff.

Proposed New Activities

The computerized medical file system will further reduce time demands on regional medical officers. The Civil

Aviation Medicine Branch is considering using the resources freed-up to provide aeromedical training for airline personnel and to do safety and health promotion. The need for such new services is not apparent: the negligible level of air accidents caused by health problems cannot likely be further reduced. The low level of air accident statistics related to medical causes would indicate that no additional efforts are required by regional medical officers in this area.

There are, apparently, no standards for aeromedical training. Program administrators should direct efforts to the development of such standards.

The Need for Involvement in Accident Investigation

The Canadian Aviation Safety Board is responsible for air accident investigation in Canada. This reduces the demands on program personnel who will only be called upon infrequently to provide advice.

ASSESSMENT

Civil aviation medicine is a highly specialized field of occupational health and safety which requires specially trained medical assessors. The civil aviation medical function is essential, to ensure that the health and safety of all beneficiaries is maintained.

A decrease in resources devoted to medical assessments is warranted. Based on the established low workload and the introduction of computerization, it is clear that resources can be reduced by 50%.

Standards for selection, orientation, training and evaluation of medical examiners, should be developed.

In the United States, both examination and certification are carried out by qualified medical doctors in private practice. No assessments of their judgements are made. If Canada were to adopt the U.S. model, it is the view of the study team that this program could be eliminated except for one or two people required to certify the competence of the examining physicians.

It has not been possible to determine whether the more expensive Canadian system yields a lower accident rate due to medical causes.

The full cost of assessment and review of medical examinations should be recovered as part of the fee for licence renewal.

OPTIONS

The study team recommends to the Task Force that the government consider:

- reducing the resources dedicated to the program by introducing cost recovery as part of a licence renewal fee;
- conducting an immediate analysis of whether the American system should be adopted, with further savings in the future.

PUBLIC SERVICE HEALTH
Health and Welfare Canada

OBJECTIVE

To promote occupational health and safety and provide health services to all federal employees; to minimize the incidence of work-related illness.

AUTHORITY

National Health and Welfare Act Section 5E. Financial Administration Act Section 7(1g) and 7(9). Treasury Board Occupational Health Policy (TB698074 - June 12-70)

RESOURCES ($000)

	82/83	83/84	84/85	85/86
Salaries	6,797	8,087	9,003	11,397.8
O & M	1,338	1,874	2,767	2,130.5
Capital	339	361	986	965.2
TOTAL	8,474	10,322	12,756	14,493.5
Person-Years (est.)	189	227	256	335

PROGRAM DESCRIPTION

Public Service Health (PSH) is the federal government's employee occupational health service, contracted to National Health and Welfare by Treasury Board.

PSH originated with the Medical Services Ottawa Bureau, established in 1945, to help servicemen and their families reintegrate into Canadian society. The program was regionalized in the 1970s and extended to include occupational health activities.

A range of health services is available at no cost to federal employees in 10 regions, from approximately 88 health units located across Canada. An estimated 225,000 employee visits were made to PSH facilities in 1983/84.

Twenty-eight physicians, 151 occupational health nurses, 39 environmental health officers, 12 employee assistance coordinators and 85 administrative and technical personnel are engaged in medical treatment and occupational health activities.

Pre-employment and periodic medical examinations are conducted for 16 occupational groups. In 1984-85, physicians conducted 14,356 examinations. An estimated 50% were completed by 600-700 private physicians and assessed by PSH. Twenty-four thousand and four hundred and twenty-six examinations were conducted by nurses and assessed by PSH physicians.

Emergency and first-aid treatments totalled 29,432 in 1984-85. Laboratory work in 1984 includes an estimated 50,000 tests, X-rays and 7,000 injections.

Four hundred and thirty-six inspections of workplaces were conducted in 1984-85 by environmental health officers, in response to reported unsafe working conditions in federal government facilities.

Counselling and advisory services are offered by physicians and nurses on: work placement for injured personnel; drug, alcohol and mental health (1,500 cases Jan to June/85); and work-related employee health problems (5,000 consultations 82/83).

BENEFICIARIES

Two hundred and fifty thousand Public Service Employees.

DEPARTMENTAL EVALUATIONS

No formal program evaluations have been conducted. A "Study of Public Service Health" in 1978 developed 50 recommendations to further define and expand the program.

OBSERVATIONS

PSH performs a dual role by providing medical treatment and preventive occupational health. In order to assess the program effectively, it was essential to separate these two functions. Activities devoted to prevention of injuries and illness were designated as occupational health activities.

Treasury Board requires PSH to provide an occupational health service to reduce work related injury and illness. Study data indicate that PSH resources are currently used to provide "medical aid", and relatively little occupational health work is done. Complete and accurate data on OHS activities were not available in any area of PSH.

The placement of PSH within Health Advisory Services, Medical Services Branch is a strong factor in the program orientation. As long as PSH remains administratively linked to other medical assistance programs, it will be difficult to redirect the focus to occupational health.

Fourteen departments consulted are satisfied with the medical treatment services provided. Most criticisms were directed to shortcomings in the occupational health component.

Much of the medical aid provided by PSH is available from, or can be arranged through, community facilities.

Medical treatment resources are required at federal government worksites where risk of injury is high and lack of proximity to community medical facilities prohibits emergency treatment within a reasonable period of time.

The federal government is required to cover the cost of job-related requirements for employees such as pre-employment medicals and injections. These services may be obtained locally from the private sector, where they are cost effective.

Comments made to the study team indicate that occupational health nurses should be "key players" in the delivery of an OHS program, but spend much of their time handing out bandaids and aspirin.

A total of twenty-two thousand public service employees located in federal departments have been trained to provide first aid; 3,387 first-aid stations are available within departments.

Worksite monitoring and hazard testing by Environmental Health Officers was seen to be essential by all parties consulted.

Private examining physicians in regions are not trained in occupational health. No selection or evaluation process is in place to assure quality service. Long delays are experienced in some regions in receiving medical results; patients must often be reassessed to determine fitness.

Managers complain that the PSH physicians do not properly fulfill the role of "company doctor" and that service needs to be improved or provided by privatized arrangements with outside agencies.

ASSESSMENT

It is the view of the study team that the dual functions performed by Public Service Health must be separated in order to be effective.

Medical services provided by PSH duplicate those available without cost to employees through the normal network of community health services, and should be accessed through these channels. In isolated or high hazard job locations it may be reasonable to have stand-by professional medical services. The federal government has a large number of trained specialists and first-aid stations. This system should be adequate to cope with most emergencies.

All required pre-employment medical examinations should be conducted by carefully selected physicians in private practice. The necessity for pre-employment examinations should be reviewed. Current physician services should be evaluated.

A study of the comparative costs of providing in-house versus privatizing laboratory services should be undertaken.

Environmental Health Officers and Occupational Health Nurses should be assigned to monitor high risk or hazardous federal worksites. Nurses can also conduct necessary periodic medical examinations for workers exposed to hazards.

Review suggests that elimination of duplication of readily available community health services should permit:

- a reduction of 50% (14) in the number of physicians;
- a reduction of 30% (30) in the number of nurses;
- a reduction of 30% (30) in administrative support.

The total potential reduction is 74 person-years, or a saving of approximately $3 million annually.

A review of National Health and Welfare involvement in EAP should be conducted with a view to eliminating duplication with the TB program.

Pre-Employment Medical Assessments should be conducted within the current structure of Health Advisory Services in NHW. Approximately six person-years will be required.

Remaining resources should be placed in a new Occupational Health Services directorate, reporting to the Director General, Operations. Responsibilities will include:

- monitoring and surveillance of worksite environments
- sampling and testing of environmental substances
- monitoring workers in high risk and hazardous environments
- sampling and testing of worker health functions
- co-ordination of departmental first-aid and emergency medical treatment programs.

OPTIONS

The study team recommends to the Task Force that the government consider reducing the size of this program. Specific administrative suggestions are to:

- Eliminate 74 person-years reducing the budget by approximately $3 million.
- Restructure resources into:
  - a major new Occupational Health Services Directorate,
  - a 6 person-years Pre-Employment Medical Assessment function.
- Review with TB, NHW involvement in the EAP program.
- Review the need for pre-employment medical examinations.
  - Study the costs of privatizing laboratory services.

WORKERS' COMPENSATION BENEFITS
Labour Canada

OBJECTIVE

To provide an employment injury benefits program for federal employees.

AUTHORITY

Government Employees' Compensation Act
Merchant Seaman's Compensation Act
Penitentiary Inmates' Accident Compensation Regulations

RESOURCES ($000)

	Actual 83/84	Actual 84/85	Main Estimates 85/86
Federal Salaries and Administration	1,682	1,532	1,336
Provincial Administration	6,068	7,623	7,080
Compensation Benefits	39,302	41,769	39,240
Merchant Seaman Benefits	10	10	14
Total Cost	47,062	50,934	47,670
Recovery from Crown Corporation	15,675	16,503	23,330
Net Cost to Government	31,387	34,431	24,340
Person-years	54	53	42

PROGRAM DESCRIPTION

Provinces and territories have created 12 Workers' Compensation Boards (WCB's) which assess employers and pay claims for occupational injuries and illnesses suffered by workers. The federal government utilizes these WCB's to cover workers under the Government Employees' Compensation Act (GECA). Benefits under the other two acts listed above are administered by Labour Canada.

Special arrangements exist with provincial boards to cover federal employees, and some crown corporation employees. The federal government reimburses each province for claims paid and for provincial administration costs. Of the $51 million paid to provinces in 1984-85, the federal government was reimbursed for $16.5 million paid on behalf of certain federal crown corporations, and third party suits.

Employees suffering employment related injuries receive compensation pursuant to the Government Employees' Compensation Act. Adjudication of claims under the Act is carried out by provincial WCB's. Benefits awarded are paid to the claimants by provincial WCB's at provincially determined rates, on behalf of the federal government. Provinces generally pay compensation benefits equal to 75% of pre-tax earnings or 90% after-tax earnings up to a provincially determined limit.

Federal public servants generally receive "injury-on-duty leave" payment of 100% of salary while on leave with an occupational injury or illness. This leave is explicitly required by most collective agreements and is provided for all federal employees. Injury-on-duty leave is taxed as regular salary; however, workers are entitled to claim, as tax deductions, all workers' compensation benefits to which they would have been entitled. Thus, federal employees receive higher after-tax incomes while on injury-on-duty leave than when working.

When an accident which involves lost time or medical cost occurs, the first-line supervisor completes the appropriate provincial form, which is sent to the Labour Canada regional compensation office. The regional office determines the legislation which applies and the validity of the claim. The claim is then forwarded to the provincial WCB which adjudicates and pays all costs. If an employee is to be paid injury-on-duty leave, compensation is not paid during that period of time.

BENEFICIARIES

Federal government workers, ex-workers, and/or their dependents; certain merchant seamen, inmates and/or their dependents.

EVALUATIONS

No formal evaluation has been carried out. The Wyatt Company, independent consultants, recommended in 1983 that a 13th, federal compensation system be set up.

OBSERVATIONS

Workers' Compensation in Canada is a complex system with myriad differences in legislation, administration and benefits in 12 jurisdictions. These jurisdictional differences can cause difficulties in compensation adjudications where organizations which span several jurisdictions are involved.

Administrative arrangements, benefits, and levels can be altered unilaterally by each province. Provincially determined changes can substantially increase federal costs and have done so in the past. Overall provincial administration costs have increased from 15% to 18% since 1983-84.

Federal employees can receive up to 150% of their normal earnings while on injury-on-duty leave. In addition to the income tax benefits noted, Canada Pension Plan and Unemployment Insurance may both pay out benefits to workers who may be on compensation, allowing them to receive amounts greater than while they are working. Federal claims tend to take longer to resolve than others, indicating that the excess benefits may be a de-motivator to returning to work.

There are several additional small compensation plans within various government departments (e.g., Correctional Officer Spouses' Plans) which could be combined with the Government Employees' Compensation Act.

A computerized system is currently being implemented by Labour Canada to process the approximately 26,000 annual claims. A reduction of nine person-years is scheduled to take place when the new system is operational.

ASSESSMENT

The Wyatt Report (1983) studied the feasibility of a federal compensation system, and recommended the establishment of a complete and separate federal system (initially for employees currently covered, with a later extension to employees in all federal jurisdictions.) Estimated costs of establishing the first level system are

$9 million - $2 million more than the administration costs charged by provinces in 1984/85. Establishment of the full system would require an estimated 430 federal public servants.

The question of full provincial assumption of responsibility has only been partially addressed in the Wyatt Report. The study team has not been able to determine whether provinces would be willing to perform the necessary functions for federal employees - nor whether this arrangement would lower federal costs. A careful review of the possibility of complete provincial responsibility is warranted.

Departments may be capable of assuming, at lower cost, the administration functions currently performed by Labour Canada. A careful review of this possibility is also warranted.

The potential for considerable savings may exist among the various agencies which provide health care services, disability payments, and income tax benefits - CPP, income tax, UIC and compensation. These programs require a complete study to eliminate duplication of benefits.

Tax breaks for employees of the federal government on injury-on-duty leave should be withdrawn immediately. Appropriate changes to the legislation will be required.

Assessing each government department for the appropriate share of costs, based on claims experience, would provide a positive incentive to improve health and safety conditions, in the same way as the practice is carried out in the private sector.

OPTIONS

The study team recommends to the Task Force that the government consider continuing this program with the following adjustments:

- Reduce P/Ys 25% on March 31/86 when computerization should be operational.
- Assess federal departments based on their compensation experience.
- Remove tax benefit for federal employees on "injury-on-duty leave".
- Study:
    - full provincialization of the function
    - decentralization of compensation administration to departments
    - benefits' overlap between CPP, UIC, income tax and compensation.

EQUAL OPPORTUNITIES FOR WOMEN

INTRODUCTION

The five programs which were reviewed by the study team are all oriented, in different and essentially complimentary ways, toward the broad objective of improving the status of women in Canadian society. They are:

Status of Women Canada (SWC),
Canadian Advisory Council on the Status of Women (CACSW),
Women's Program (Secretary of State),
Women's Bureau (Labour Canada).
Equal Pay Division (Labour Canada),

REPORTS TO:	MINISTER RESPONSIBLE FOR STATUS OF WOMEN		SECRETARY OF STATE	LABOUR CANADA	
PROGRAM	SWC	CACSW	WOMEN'S PROGRAM	WOMEN'S BUREAU	EQUAL PAY
DESCRIPTION	ADVISE MINISTER ANALYSIS FEDERAL-PROVINCIAL COORDINATION INTERNATIONAL RELATIONS	INDEPENDENT RESEARCH INFORM PUBLIC ADVISE MINISTER	FUNDING OF WOMEN'S GROUPS	POLICY ANALYSIS PROGRAM DEVELOPMENT WORKPLACE ORIENTED RESEARCH	RESPONSE TO CLC & CHRA STAFF TRAINING EMPLOYER CONSULTATION COMPLAINTS
1985-86 EXPENDITURES (000)	2,804	2,391	11,000	1,294	148
PYS	43	37	37	13	2

The first two programs, Status of Women Canada (SWC) and the Canadian Advisory Council on the Status of Women (CACSW) are separate organizations, both of which report to the Minister Responsible for the Status of Women.

Status of Women Canada is the agency responsible for ensuring that the federal government carries out its commitment to equality between men and women. It does so by:

- systematic analysis for the Minister of the impact on women of proposals, especially proposals for policy, legislative and program change;
- coordination of policy analysis on an inter-departmental, federal-provincial and international level;
- communication with women's groups, non-government organizations and the general public on government priorities and issues of concern to women.

While the Canadian Advisory Council on the Status of Women is funded by the federal government, it functions as an independent organization which retains the right to publish its views without ministerial consent. Its role is to provide an autonomous source of information to the government and the public on matters of interest and concern to women, through research and publications.

The third program, the Women's Program at Secretary of State is the funding agency for women's organizations and groups. It encourages information exchange and advocacy, organizational development and institutional change by providing grants and contributions to women's groups across Canada.

The last two programs are contained in Labour Canada. The Women's Bureau ensures that issues of concern to women are considered when policies and programs at Labour Canada are being developed. Its role is to foster and promote equality in the workplace for women through policy and program development, and research.

The Equal Pay Division of Labour Canada was organized to educate federal employees and employers under federal jurisdiction to ensure compliance with the intent of the Canadian Human Rights Act and Canada Labour Code as they pertain to the elimination of discrimination in pay on the basis of sex.

OBSERVATIONS

- The study team's scrutiny of the programs indicated virtually no duplication of effort or resources. However, these programs do not represent all of the federal initiatives designed to ensure economic, legal, social and/or cultural equality for women (e.g., programs at the Public Service Commission, Health and Welfare Canada, Treasury Board, the Canada Employment and Immigration Commission and the Canadian Human Rights Commission). No comprehensive review has been undertaken of the full range of programs and resources mandated to improving the status of women in Canada with a view to measuring the adequacy of the human and financial resources to the overall task.
- The client group favors strong central agencies with clear mandates combined with the assignment of appropriate responsibilities and resources to line ministers.
- There is virtually no support for centralizing all activity into a single delivery mechanism. This would be seen as regressive and as a "ghettoization" of matters of interest and concern to women,
- Status of Women Canada provides the key coordinative mechanism on a system-wide basis. The Women's Bureau at Labour Canada is the only clear example we could find of complementary activity within a department, whereby all departmental policies and programs being developed are systematically reviewed to determine their impact on women. While there are undoubtedly other examples, we could find no evidence that such activity exists or is even required in all federal government line ministries.
- In spite of the existence of several government programs directed at the achievement of equal pay/value and employment equity/affirmative action goals, the significant wage gap between men and women employed on the same full-time, full-year basis has remained virtually unchanged since 1978, according to a variety of detailed and comprehensive studies as recent as the Abella and MacDonald Commissions.

ASSESSMENT

In the opinion of the study team, there is little, if any, duplication within the system.

Insufficient resources are assigned to coordination, especially at the departmental level. This may be partially due to mixed perceptions of federal government commitment to the broad objective outlined at the outset.

The study team believes that an objective assessment of federal government performance in pursuit of improvement in the status of Canadian women would rate it satisfactory in terms of productivity of resources allocated to individual programs, but would rate it poor in terms of overall results related to the broader objective of significantly narrowing the male-female wage gap.

The study team believes this overall poor performance in terms of narrowing the wage gap further reinforces the need for a comprehensive review which, among other things, specifically addresses the adequacy of resources allocated to enforcement activities (such as Section 38.1 of the Canada Labour Code and Section 11 of the Canadian Human Rights Act).

OPTIONS

The study team recommends to the Task Force that the government consider a further review of the resources specifically mandated to improving the status of women in Canada referred to above, with a view to measuring the adequacy of the human and financial resources to the overall task;

In addition the Prime Minister may wish to consider:

- Allocating responsibility for the Status of Women to a Minister who is a Member of the Cabinet Committee on Priorities and Planning. This would ensure that all government policies affecting women are scrutinized by this Minister.
- Requiring each Minister to mandate an existing Assistant Deputy Minister with responsibility for ensuring that all departmental proposals contain a thorough study of their impact on women;

The recommendations of the MacDonald Commission relative to strengthening the monitoring and enforcement activities of the Canadian Human Rights Commission, should be adopted.

STATUS OF WOMEN CANADA

OBJECTIVE

To promote equal opportunities for women in all spheres of Canadian life.

AUTHORITY

Order-in-Council PC 1976-779.

RESOURCES ($ thousands)

	83/84	84/85	85/86
Salaries and Wages	1,076	1,646	1,668
Other O&M Expenses	593	1,040	1,099
Capital Expenses	77	93	37
TOTAL	1,746	2,779	2,804
Person-Years	36	43	43

PROGRAM DESCRIPTION

The role of the program is to ensure that the federal government carries out its commitment to equality between women and men. This is achieved through:

- systematic analysis for the Minister of the impact on women of proposals, especially proposals for policy, legislative and program change;
- co-ordination of policy analysis on an interdepartmental, federal-provincial and international level so that policy recommendations to improve the status of women can be proposed to Cabinet by the Minister Responsible for the Status of Women; and
- communication with women's groups, non-government organizations and the general public on government priorities and issues of concern to women. The agency assists the Minister in the preparation of speeches, correspondence and media briefings.

BENEFICIARIES

While this agency's clients appear to be other federal departments (SWC offers advice and help), ultimately the beneficiaries are all Canadian women.

DEPARTMENTAL EVALUATION

No evaluation has been done.

OBSERVATIONS

Specific goals for Status of Women Canada in 1985-86 in addition to maintaining its regular operations, include the following:

- preparing and obtaining approval of a National Plan of Action on the status of women from 1985 to the year 1990;
- ensuring wide participation by governments, national women's organizations and the media, in government and non-government preparatory activities of the 1985 United Nations World Conference on Women, and carrying out follow-up activities to this conference with the federal government, with provincial governments and with national women's non-government organizations;
- preparing a report on total federal government funding to women's non-government organizations; and
- preparing a report on the implementation of the Treasury Board policy on the elimination of sex stereotyping in federal communications, including recommendations for change if required.

ASSESSMENT

Provincial governments generally praise the leadership role assumed by Status of Women Canada and state that the agency pulls the provinces together for national awareness of issues relating to women and for consensus building.

Status of Women Canada is responsible for macro-analysis related to the general thrust of government policy. Ideally, departments should be focussing on micro-analysis at the early policy and program development stages. The new mandate of the Women's Bureau at Labour Canada is consistent with this need. Many departments, however, do not have this kind of mechanism in place, and as a result, SWC ends up monitoring submissions "after the fact".

OPTIONS

The study team recommends to the Task Force that the government consider continuing this program with the following changes:

- Allocating responsibility for the Status of Women to a Minister who is a Member of the Cabinet Committee on Priorities and Planning. This would ensure that all government policies affecting women are scrutinized by this Minister.
- Requiring each Minister to mandate an existing Assistant Deputy Minister with responsibility for ensuring that all departmental proposals are based on a thorough study of their impact on women.
- The Minister Responsible for the Status of Women should be kept informed of the specific research efforts which are related to women's issues and undertaken by individual departments.

CANADIAN ADVISORY COUNCIL ON THE STATUS OF WOMEN

OBJECTIVE

To provide an autonomous source of information to the government and the public on matters of interest and concern to women.

AUTHORITY

Order-in-Council PC 1976-781.

RESOURCES ($ thousands)

	81/82	82/83	83/84	84/85	85/86 (fore-casted)
Salaries and Wages	578	897	1,014	1,276	1,360
Other O&M Expenses	960	1,144	1,147	1,108	1,012
Capital Expenses	15	23	13	7	11
TOTAL	1,553	2,064	2,174	2,391	2,383
Person-Years	21	28	28	37	42

PROGRAM DESCRIPTION

The Council was established in 1973 as an independent organization funded by the government. Its mandate is:

- to bring before the federal government and the public matters of interest and concern to women; and
- to advise the Minister either on his or her request or as the Council deems appropriate.

The Council reports to Parliament through the Minister Responsible for the Status of Women. It retains the right to publish its views without ministerial consent.

The Council consists of:

a. a Central Office in Ottawa, providing administrative services, research, communications/publications, distribution centre, documentation centre, facilities for meetings and lectures.
b. a recently opened Regional Office in Calgary (responsible for the Western provinces), a Regional Office in Montreal (responsible for Quebec and Atlantic provinces) and a local distribution office in Winnipeg.
These offices oversee regional distribution of the Council's publications, provide reference facilities and lend support to Council members and local women's groups.
c. twenty-seven part-time members are appointed by Order-in-Council for a term of three years. Members receive per diem payments for attendance at quarterly Council meetings and some financial support for expenses incurred.

The Council:

a. monitors emerging trends, identifies grass roots issues of concern to women, analyses the impact on women of existing policies and programs and studies proposals for new legislation;
b. does research on issues identified through monitoring, formulates policy recommendations;
c. distributes its research findings widely, promotes awareness of issues through public and media relations and provides a documentation centre of specialized information;
d. consults directly with federal government officials, committees, task forces and commissions of inquiry regarding women's issues and attempts to promote legislative reform in areas of social policy.

The Council also had a talent bank, which it is phasing down. It is continuing to run a national clearing house on pensions.

BENEFICIARIES

Canadian women, other Canadians, parliamentary committees, task forces, government departments, professional women.

DEPARTMENTAL EVALUATION

The Council has not been evaluated. No internal audit functions exist.

OBSERVATIONS AND ASSESSMENTS

The research performed by the Council is generally very well received and Council publications are extremely well used across the country.

In the view of the study team the Council has neither the human resources nor the money to perform extensive primary research and generally only uses existing basic data.

The Council is part of an unofficial research "network" that meets on an ad hoc basis to ensure that duplication does not occur.

The Council functions as a relatively autonomous organization which is free to express its views independently and to provide informed criticism, but without partisanship.

OPTIONS

The study team recommends to the Task Force that the government consider continuing and strengthening this program by:

a. opening an Atlantic district local office;
b. appointing Council members with solid credentials;
c. increasing funding by $500,000 yearly to permit primary research and a wider publication capability.

WOMEN'S PROGRAM
Secretary of State

OBJECTIVE

To support the full participation of women in all aspects of Canadian society and to increase the capability and effectiveness of women's organizations and groups working to improve the status of women.

AUTHORITY

Department of the Secretary of State Act.

RESOURCES ($ 000)

	83/84	84/85	85/86	86/87	87/88
Salaries and Wages	363	967	967	967	967
Other O&M Expenses	262	764	749	764	764
Grants	3099	8000	11309	11209	11209
Contributions	1145	1300	1491	1468	1447
TOTAL	4,879	11,031	14,516	14,408	14,387
Person-Years	19	37	37	37	37

PROGRAM DESCRIPTION

The Secretary of State must monitor and report to Cabinet on the allocation of funds to women's groups. Until recently, the minister responsible for the status of women assumed this role.

Financial assistance in the form of grants and/or contributions is provided to voluntary organizations and non-governmental institutions for:

- information exchange and advocacy (on issues such as economic development, violence, law, health, education, culture/image);
- organizational development (e.g. leadership skill development, training, planning/evaluation/finance, operational maintenance);

- institutional change (examples of institutions - traditional, public, legal, economic, health and educational).

Provincial, territorial and municipal governments and individual persons are excluded.

Financial assistance for operational and project funding and endowments is provided to support organizations which through their existence and program of activities contribute to the realization of the objectives of the Women's Program.

The functions to be served by operational funding include: enhancing national and regional participation of executive and members; supporting long-term planning and consistency over time; encouraging the development of more sophisticated systems for the participation of women; creating a political base from which current and emerging women's issues can be addressed and for which leadership is provided; and improving organizational development.

Operational funding is not available for the direct provision of ongoing social services (e.g. transition houses, rape crisis centres). However, projects undertaken by such service groups are eligible for project support. Project funding is provided to organizations to support short term activities which are consistent with the objectives of the Women's Program. These may include conferences, information packages, television programs and theatre productions.

Projects must take place in the fiscal year in which they are initiated. The maximum duration for a project is one year.

In 1984-85, the funding breakdown was approximately 65% for projects and 35% for operations. The majority of the funding (almost 70%) was for projects of $10,000 or less. Annex I provides funding information by target group and by region and lists the seven organizations which received the largest funding.

BENEFICIARIES

Voluntary women's organizations directly, and indirectly, 12.5 million women.

DEPARTMENTAL EVALUATION

An evaluation was completed in March, 1985. The recommendations were submitted to the Women's Program and are currently being reviewed. The major recommendations are:

a. to develop an explicit integrated program strategy;
b. to prepare a contract between the Program and Regional Operations;
c. to establish a standing policy advisory committee.

OBSERVATIONS

The Women's Program, established in 1973, is the principal (and in some cases, the only) federal government source of operational funding to women's voluntary organizations working to improve the status of women. It is also one of the major federal sources of direct support to regional and national women's groups and voluntary organizations providing activities specifically addressing the improvement of the status of women.

Forty per cent of the funding is administered by the National office (17 person-years in the National Capital Region) with regions assuming responsibility for program delivery and the allocation of the remaining funds.

In January, 1984, the federal government announced that the $3.3 million annual budget for the program would be increased by 1987-88 to $14.3 million.

This initiative was to reflect the government's commitment to serious long-term action aimed at addressing the concerns and needs of women in Canada.

As part of this increase, it was decided to provide one-time endowments of $500,000 to create Chairs of Womens' Studies at five Canadian universities. To date, four have been established.

The small percentage of overall funding directed at immigrant and native women is targeted at projects specifically designed to improve the status of women.

ASSESSMENT

This program is extremely well received by women's groups across Canada, many of which express concern that funding to the program might be reduced. Given the government's commitment to taking serious long-term action to improve the status of women in Canada, any funding cuts in this area would not be appropriate.

Secretary of State is currently considering two to three year funding to replace the current system. Longer-term funding has been recommended by many of the groups across the country, as it would allow some consistency in their programs. This is especially true for the larger umbrella groups.

The Women's Program has been criticized by the Culture and Communications Study Team, which expressed a concern that it "may be addressing the needs of upwardly-mobile, middle class professional women which do not necessarily coincide with the concerns and problems of the majority of women in Canada". This study team has not been able to substantiate this claim and, as a result, does not support the recommendations to reduce the funding to the 1983-84 level.

The program has also been criticized by some for its supposed lack of a coordinated strategy regarding the kinds of groups and projects being funded. However, the overall objective to improve the status of Canadian women is a very broad one, which suggests that the means of doing so are likely to be varied and are likely to require a range of funding.

The study team does feel that it is important that the funding continue to be used in ways which visibly reflect the views and needs of the widest possible cross-section of Canadian women.

The study team is not persuaded that clear mechanisms exist to ensure that the priorities set within the program are necessarily consistent with overall federal government priorities for improving the status of women in Canada.

OPTIONS

The study team recommends to the Task Force that the government consider continuing this program with the following improvements:

a. priority setting within the program to be coordinated and to reflect government-wide priorities for improving the status of women in Canada; and

b. an explicit criterion for priorizing grant proposals should be that any proposal reflects the views and needs of the widest possible cross-section of Canadian women.

ANNEX I

Funding by Target Group

Target Group	No. of Projects	Amount of Money
Young Women	31	219,802
Older Women	4	12,954
Rural/Isolated Women	78	715,753
Immigrant Women	15	87,997
Native Women	6	47,890
Off'l Language Minority	19	138,170
Low Income Women	16	128,621
Handicapped Women	4	28,900
Single Women	3	47,317
All Women	425	6,081,794
General Public	85	696,901
TOTAL	686	$8,206,099

Funding by Region

Region	No. of Projects	Amount of Money
Nfld.	39	344,492
N.S.	21	322,789
P.E.I.	17	140,565
N.B.	34	275,592
Que.	182	1,327,346
Ont.	86	907,604
Man.	47	441,390
Sask.	51	437,845
Alta.	82	576,280
B.C.	78	1,072,156
National	48	2,360,040
TOTAL	685	$8,206,099

Major Funding by Organization

Organization	Amount of Money
National Action Committee on the Status of Women	$300,000
Canadian Research Institute for the Advancement of Women	295,715
Canadian Congress for Learning Opportunities for Women	189,000
National Watch on the Images of Women in the Media	160,000
National Association of Women and the Law	94,865
Canadian Day Care Advocacy Association	90,000
Association des femmes collaboratrices	80,000

EQUAL PAY
Labour Canada

OBJECTIVE

The Unit promotes the elimination of sex discrimination in pay within industries under federal jurisdiction, under Section 38.1 of the Canada Labour Code.

AUTHORITY

Canadian Human Rights Act - 1978 - Section 11. Canada Labour Code - Section 38.1

RESOURCES ($000)	**84/85**	**85/86**
Salaries and Wages	70	105
Other O&M Expenses	17	43
TOTAL	87	148
Person-Years	2	2

PROGRAM DESCRIPTION

This program monitors sex discrimination in pay, trains Labour Canada field officers, educates employers and others, and provides promotional and advisory activities for compliance with equal pay. The program is in response to the obligations under the Canadian Human Rights Act, reluctance of employers to comply, and criticism in the House of Commons regarding departmental inaction. The program features a three-stage implementation strategy: information collection and analysis; field officer (labour affairs officer) and clientele education; and promotion of voluntary compliance.

The Canadian Human Rights Act, proclaimed in March, 1978, provides that: "It is a discriminatory practice for an employer to establish or maintain differences in wages between male and female employees employed in the same establishment who are performing work of equal value." An employer cannot reduce wages to eliminate bias.

The criterion for "value" is the composite of skill, effort, responsibility and working conditions.

Differences in wages between males and females for work of equal value are permissible if they are based, without sex bias, on a "reasonable factor" prescribed in the Canadian Human Rights Commission (CHRC) guidelines. Relative collective bargaining is not recognized as a reasonable factor and neither is the marketplace.

The Canada Labour Code (Section 38.1) states that inspectors who have reasonable grounds at any time for believing that an employer is engaging or has engaged in a discriminatory practice as described above, may notify the CHRC or file a complaint with the Commission.

It is important to note that the Equal Pay Division approach uses the "complaint" mechanism as a last resort.

BENEFICIARIES

Female employees of Crown corporations and industries under federal jurisdiction.

DEPARTMENTAL EVALUATION

The program was established in 1984.

OBSERVATIONS

Since the Canada Labour Code legislation came into force in 1978, the male-female earnings gap has remained unchanged (i.e. full-time female workers in Canada earn only about 60% as much as full-time male workers).

The CHRC has had very limited success in enforcing equal pay in the federal jurisdiction private sector. There is substantial employer resistance to the CHRC's investigative mode of enforcement.

Between 1978 and 1984, Labour Canada took virtually no action to discharge its complementary equal pay responsibilities under the Canada Labour Code.

The initial information gathering and analysis phase of the new program is completed.

The intention of the division is not to directly monitor implementation of equal pay for work of equal value, but to educate labour affairs officers (LAOs) regarding the requirements of the legislation and strategies for assisting employers to comply. This phase begins in the fall of 1985.

One or two LAOs from each regional office will receive additional in-depth training. These officers will become the primary regional support system for the other officers.

After LAOs are trained, the focus will shift to "client" education on the concept itself, on how to examine their own system to determine where sex discrimination in pay exists and how to make appropriate adjustments. This phase is scheduled to begin in 1986-87.

The Treasury Board Secretariat, the employer for public servants, has an Equal Pay Group, consisting of four person-years. It has generally been involved with settling complaints regarding sex discrimination in pay lodged with the Human Rights Commission.

ASSESSMENT

The main reason for placing this program within Labour Canada is that the department's regional structure disperses Labour Affairs Officers across the country. In the course of their work they typically have already established informal liaison with employers. In view of the study team this is a sensible approach and should minimize the possibility of sustained resistance by employers to the equal pay concept.

If this approach to federal government responsibility under its own labour code is to be successful, (i.e. promotion and education rather than sole reliance on a punitive approach) several minimum requirements must prevail:

a. LAOs must be as committed to and knowledgeable of the intent of this section of the legislation as they are of other sections;

b. Labour Canada must closely monitor this activity to ensure that it is yielding results and not merely further postponing the achievement of equal pay for work of equal value;

c. a close working relationship between Labour Canada and the Canadian Human Rights Commision is necessary; and

d. The Canadian Human Rights Commission must have sufficient human resources to investigate the additional complaints which will result from this approach.

Consistent with its new role in policy and program development, it is the opinion of the study team that the Women's Bureau of Labour Canada should be formally assigned two roles related to the work of the Division:

a. input into program design for the training and promotion phases; and

b. responsibility for monitoring results and doing analysis of program effectiveness.

OPTIONS

The study team recommends to the Task Force that the government consider continuing this program without change but with an evaluation of its effectiveness in 1987/88 and a strengthened role by the Canadian Human Rights Commission in monitoring and enforcement activities related to Section 11 of the Canadian Human Rights Act.

WOMEN'S BUREAU
Labour Canada

OBJECTIVE

To foster and promote equality in the workplace for women through research, policy development and an information program.

AUTHORITY

1954 - Vote 188.

RESOURCES ($ thousands)

	83/84	84/85	85/86	86/87
Salaries and Wages	384	440	478	478
Other O&M Expenses	405	374	547	497
Grants & Contributions	-	-	25	25
Capital	1	1	8	2
TOTAL	790	815	1,058	1,002
Person-Years	12.2	11.5	13	13

PROGRAM DESCRIPTION

The Women's Bureau was established in 1954 to provide "leadership and services to women in paid employment". It is one of the oldest organizations within governments in Canada devoted to the concerns of women.

The Bureau monitors legislation, policies, and programs and recommends changes to promote equality for women in the workplace; conducts economic and statistical research on the obstacles to women's advancement; publishes reports on the situation of women in the work force and ways to improve it; maintains an information centre for public use (information, publications, reports, audio-visual presentations, exhibit booth); promotes public awareness of issues that concern women working for pay, through conferences, seminars and workshops; and, represents Canada in international forums concerning women's paid work.

The Reference Centre handles requests for information from women's organizations, researchers, journalists, students and public servants.

The basic focus of the Women's Bureau has shifted from concerns about getting women into the work force to ensuring that they have equal opportunity, do not suffer from hidden forms of discrimination (e.g., systemic discrimination), receive equal treatment in the workplace (e.g. equal pay for work of equal value) and do not put themselves at an unfair risk by being in the workplace (e.g. reproductive hazards).

BENEFICIARIES

This is not an expenditure program. The indirect beneficiaries are women in the labour force and women planning to enter or re-enter the labour force, employers and employers' organizations and unions.

DEPARTMENTAL EVALUATION

The activities of the Bureau and its focus have recently been changed and will be evaluated at a later date.

OBSERVATIONS AND ASSESSMENTS

The Women's Bureau has recently been transferred to the responsibility of the Assistant Deputy Minister of Policy as part of a plan to reshape its role and organization. It will be playing a larger role in policy and program development in this new capacity. The study team is encouraged to see a department taking the initiative to ensure that issues of concern to women are considered when policies and programs are being developed and not after the fact.

The role of the Bureau in promoting public awareness of women's workplace issues is seen as being extremely important by various women's groups.

Labour Canada already has a number of other reference and information-oriented activities.

There is no clear formal relationship between the Women's Bureau and Labour Canada field activities designed to enforce labour legislation affecting women workers.

OPTIONS

The study team recommends to the Task Force that the government consider continuing the Bureau unchanged except that:

a. the Bureau should help develop training criteria for the enforcement of "conditions of work" sections of labour legislation (e.g. Equal Pay, Maternity Leave, etc.) and

b. the Reference Centre of the Women's Bureau should be consolidated into the proposed rationalization of the various information services.

IMMIGRATION AND CITIZENSHIP PROGRAM ASSESSMENTS

INTRODUCTION

Immigration and the process of settlement leading to citizenship are of fundamental consequence for Canada and Canadians. The very nature of our society, the size and structure of our population and the strength and diversity of our economy have been and continue to be very much determined by who chooses to come to Canada and who we allow into the country.

"Who wants to come" is largely dictated by world conditions, mainly income differences and the relative attractions of, and ease of entry to, this country.

"Who we let in" is, or should be, a deliberate national choice determined by the Immigration Act and government policy.

The Immigration Act of 1978 is based on the fundamental proposition that it is Canada's absolute and sovereign right to decide who to admit as an immigrant and who shall become a Canadian citizen. The Act provides a framework intended to permit the government to shape the immigration movement to Canada's best interests. It outlines a balanced set of objectives relating to economic, social, demographic, family reunification, refugee, and other humanitarian goals as well as the protection of the health, security, and well-being of Canadians.

The Act provides the framework for a system of selection of immigrants and for removal from the country of persons who are here without legal status. It provides for appeals from decisions to deport or not to admit.

Once immigrants have been admitted to Canada, provision is made, either federally or provincially, for assisting them with a range of settlement services, language training and welfare assistance. Provision is made under the Citizenship Act for immigrants to apply for full citizenship three years after their arrival in Canada.

The study team's mandate provided for the review of 25 program elements (compressed into 15 for ease of exposition) costing a total of $140 million annually and requiring 2,359 person-years for their administration. The study team has taken note of, but not analysed in depth, two other elements associated with immigration and costing approximately $90 million. These elements (i.e. provincial welfare costs for persons awaiting refugee status determination and CEIC language training costs), bring the grand total cost to at least $230 million of which approximately $210 million is either direct or indirect federal expenditure.

For analytical purposes, the 15 program elements were divided into three main areas:

Selection - the policy and the operations required to select persons for admission to immigrant status.
Enforcement and Adjudication - the policy and the operations required to prevent the entry of non-admissible persons and to provide for the expulsion of persons in Canada without legitimate status, as well as the process of adjudication required to make those determinations.
Settlement - the range of services provided to immigrants to assist settlement, to provide welfare and to grant citizenship when applicable.

The review of Immigration and Citizenship is made more complicated by the fact that steps taken in respect of one of the three areas frequently have an impact in the other areas. Ready availability of welfare will, for instance, serve in part to attract additional illegal entries. When persons who have entered illegally succeed in remaining in the country for many years, it becomes very difficult not to provide for their "selection" through some form of "amnesty". If the selection system is altered in such a way that larger numbers require language training, the costs of settlement services will rise, and so on.

Review is also made more difficult by the fact that it is hard to obtain an unambiguous representation of public preferences and attitudes concerning immigration. On the one hand available polling data suggest, and have for many years, that increased immigration is opposed by a majority and incidental material suggests some degree of tension and resentment, possibly racial in origin, in Toronto, Vancouver and Montreal. On the other hand, virtually the entire body of organized opinion (lawyer groups, refugee sponsoring church groups, immigration aid groups, etc.) tends to favour more immigration, relaxation of criteria and amnesties for particular groups. It is, understandably, the more organized views which are sought out by the press and are represented before parliamentary committees, and it is these which tend to appear most frequently in media coverage of immigration matters.

IMMIGRANT SELECTION IN 1984

The 1984 immigraton flow of 88,000 was low compared with the ten-year average of 122,000; in large degree because very few immigrants (2,500, including about 1,000 domestic servants) were required to fill jobs not fillable by Canadians.

Of the 88,000 admitted in 1984:

- nearly 20,000 were "Independent" and their accompanying close family members, including 3,500 entrepreneurial class; 2,300 retired; 2,700 self-employed;
- 44,000 were "Family Class" - minor children or parents and spouses sponsored by previously admitted persons and admitted without selection, except for health and security screening;
- 8,000 were "Assisted Relatives" - the siblings, aunts, uncles, and cousins of previously admitted persons, who could not qualify as independents and who receive a bonus of 20 - 30 of the points required for admission because they are sponsored by previous immigrants; and
- more than 15,000 "convention refugees" and members of "designated class", most of the latter being persons who are not refugees according to the United Nations definition, but who are treated as though they were convention refugees.

ENFORCEMENT AND ADJUDICATION

The enforcement provisions of the Immigration Program are designed to prevent the admission of people harmful to Canada's health, social and economic well being and national security, and to detect and remove inadmissable persons from within the country. These provisions are an essential activity, without which the selection system could not properly function to provide a planned and orderly flow of qualified immigrants and bona fide refugees.

Enforcement of immigration law is effected through both preventative and control measures with generous provision for redress and appeal rights. The preventative measures are the more cost-effective, since it is easier and cheaper to keep inadmissable persons out than to detect and remove them once in Canada.

The two key preventative measures are:

a. that all visitors must obtain a visa abroad before coming to Canada except for nationals of countries specified by regulation; and
b. that no one can enter Canada legally without first being cleared at the border or airport. These preventative measures cost $15 million in 1984, when 300,000 visitors' visas were issued abroad and some 35 million visitors, returning residents and Canadian citizens were seen by Customs or Immigration at the border.

The control aspects of enforcement involve the investigation of immigration violations and the detection and arrest of persons who have remained in Canada illegally. Immigration officers undertook 65,000 investigations in 1984, and reported 22,000 persons found to be in contravention of immigration law. Most are simple overstays and either depart voluntarily or are given a Minister's Permit to complete the purpose of their visit. When people are refused entry or are found to be without legal status in Canada for more serious violations (such as working illegally), they are seen at an inquiry presided over by an adjudicator. An adjudicator determines admissability, decides whether a person must leave Canada and, if so, issues a removal order. In 1984, adjudicators opened 11,000 inquiries and issued more than 5,000 removal orders.

It is at the inquiry that a person about to be ordered removed can make a claim for refugee status on the grounds that they fear persecution if returned home. About 90% of inquiries are adjourned for refugee claims.

A considerable cost is occasioned by detention of persons likely to be a danger to themselves or others or who are unlikely to appear for their inquiry. Seven thousand persons were detained for an average of eight days in 1984 at a total cost of $4.5 million.

If a person had a valid visitors visa when refused entry, he may appeal the removal order to the Immigration Appeal Board and then to the Federal and Supreme Courts. A person whose refugee claim is denied may have the claim re-determined by the Appeal Board.

SETTLEMENT AND CITIZENSHIP

The federal government, through the Department of the Secretary of State and the Canada Employment and Immigration Commission, funds a number of programs providing services to enable immigrants to adjust, or welfare for those who have not adjusted, and citizenship for those whose adjustment is complete.

The two agencies have two similar programs, costing a total of $7.4 million, to assist some 200 private sector agencies in providing needed services for immigrant adaptation and settlement. As will be seen in the relevant program assessments, the study team recommends that the two programs be combined into one and strengthened.

In addition to the funding of settlement services, the Secretary of State provides shared-cost language instruction with the provinces and the CEIC operates, as part of the National Training Act, a $55 million program of language training with allowances for immigrants entering the labour force.

The CEIC "sponsors" about 10,000 refugees each year at a federal welfare cost of approximately $35 million for the sponsored refugees and a relatively few other indigent immigrants. Provinces provide provincial welfare, at unknown cost, to immigrants after one year of residence or after they have obtained their first job. Provinces also provide welfare assistance for refugee claimants awaiting determination at an annual cost estimated by CEIC at $38 million, shareable with the federal government.

Church and other private sector groups sponsor some 4,000 immigrants annually at no cost to the federal or provincial governments.

Of the total settlement costs of about $130 million in 1984, about $80 million is associated with 11,000 federally sponsored refugees and about $38 million with the backlog of 20,000 refugee claimants. The federal portion of the costs is approximately $110 million.

MAIN ISSUES

The study team sees the main immigration issues to be:

THE NEED FOR POSITIVE IMMIGRANT SELECTION

The acceptability of a reasonable and sustained immigration level is highly dependent on its being seen to consist of people who readily adapt and contribute to Canada's economic and social life.

This is less and less the case. Since 1982 Canada has stopped selecting independent immigrants on the basis of occupations in demand in Canada.

Only those with a pre-arranged job are allowed to proceed. As a result, the most qualified immigrants are effectively barred while large numbers who are potentially less adaptable continue to arrive.

Selected immigrants have now declined from 30 to 14 per cent of an annual movement, which in itself has dropped to 88,000 from its 10-year average of 122,000.

Half of the movement is now made up of the sponsored family class, one third of which also enters the labour market, but with no prior selection-based assessment of the impact.

Except for some 6,000 self-employed and entrepreneur groups, much of the remaining 26,000 consists of people admitted for humanitarian reasons. Many are displaced by emergency situations or economic and social conditions at home. Perhaps a third are actual refugees selected as in need of protection according to the U.N. Convention definition.

The problem is that many in this growing group could never have met Canada's immigrant selection standards and are, indeed, a major source of dependency on welfare and settlement resources at increasing cost. This sort of movement is increasingly inappropriate for our technological society.

It is essential to strike a better balance in the immigration movement if Canada is to avoid serious longer term economic and social problems. This can only be done by insisting on positive selection abroad of immigrants who will make a real contribution to our economic and social development.

The current restriction on the selection system should be removed to allow more qualified, but well-chosen immigrants to come forward without necessarily having a pre-arranged job. Credit should be given for skills coming into demand in Canada and more weight should be given to official language ability, education and assessed adaptability. Indeed, adults without at least 10 years of schooling should not be admitted unless sponsored as refugees or members of the family class.

The family class itself should continue but with minor changes to exclude parents and "children" of working age who should be assessed among the independents.

Assisted relatives should continue to be assessed as independents, but with no more than 10% of the points required for acceptance being allowed for having relatives in Canada.

The use of "designated class" should be restricted to Communist Block countries and to situations where the individual would be a convention refugee if he or she were not still in the home country. Those who are economic migrants or temporarily displaced persons should be assessed under full normal selection criteria, with emphasis on their ability to adapt to and succeed in Canada.

UNCONTROLLED AND ILLEGAL IMMIGRATION

Unplanned immigration is jeopardizing the planned movement. An increasing number of people are gaining access to Canada through manipulation or abuse of immigration provisions. Once having gained a foothold, they live and work here for extended periods. After some years' residence, their removal can be extremely difficult. If larger numbers remain for long periods of time, the result will almost inevitably be some form of amnesty.

What can best be described as an assault on our systems for refugee asylum and appeals has lead to a situation where virtually anyone refused admission or discovered overstaying in Canada can claim recognition as a refugee. This makes a rapid determination of well-founded cases impossible.

The refugee determination system is quite incapable of handling 700 new claims a month on top of a backlog of 20,000 persons. The delays are such that a claimant is virtually assured of a stay in Canada, with permission to work or receive welfare, for at least 40 months before the claim is settled. With a rapidly rising backlog, the period of grace will only lengthen. To date, only about 30% of claims are upheld, but by the time they have all been heard, it will be politically difficult to remove the by then entrenched, unsuccessful claimants from Canada. This situation not only places a costly burden on resources, it attracts increasing numbers of would-be settlers the longer it persists.

Until the crisis can be contained and resolved, it will be difficult, if not impossible, to have the balanced and credible immigration movement envisaged above.

Any new refugee claims determination system must be both fair and expeditious. For those truly needing protection, it should be given without delay. But fair immigration procedures should not give unlimited access to those with no well-founded claim to be refugees nor to those who purport to be visitors while trying to become permanent residents.

One part of the solution is for visitors' visas to be required for nationals of most countries. A more important element in the solution is to provide that claims for refugee status be made only when the person is abroad, except for those in "hot flight" (i.e. arriving by direct transport from the country which they are fleeing). This would require negotiating with intermediate countries having airline connections with Canada, to ensure that claimants referred back to them would be accepted and their claims heard there.

These changes would not resolve the problem of the backlog of still undetermined claims in Canada. For this, the study team proposes to the Task Force that the government consider taking the following steps:

a. a rapid administrative review to see who could be admitted at once as refugees or other immigrant classes;
b. individual oral hearings by some 50 temporarily appointed judges acting individually to determine the status of all remaining claimants within 18 months, and
c. removal from Canada of all persons determined not to be convention refugees or not otherwise admissable, except for those with appeal rights.

RISING WELFARE AND SETTLEMENT COSTS

The costs of providing welfare support, language training and settlement services, largely for indigent refugees, have greatly increased and now stand at $100 million a year. In addition, provinces provide welfare to indigent immigrants after one year's residence or after their first job loss. Half the provincial welfare expenditures are covered by the federal government.

The level of welfare expenditures is in part determined by Canada's effectiveness in selecting those immigrants who are capable of being self-supporting in Canada and in minimizing the flow of those who tend to become dependent. To the extent, therefore, that a new emphasis on positive selection and a new refugee determination system are effective, the costs of provincial welfare payments should decline.

However, the rising costs of our refugee program can only be controlled if the government itself sponsors fewer refugees and redirects a portion of the assistance costs towards helping the more efficient private refugee sponsoring groups to finance an increase in their activities.

As well, the complex of settlement and integration programs could be made more effective by combining the CEIC Immigrant Settlement and Adjustment Program with the Secretary of State's Cultural Integration Program, with an increase in resources to overcome some of the gaps in the provision of language training, particularly for immigrant women, who often cannot access mainline, full-time programs.

SUMMARY OF PROPOSED CHANGES

As will be seen in the relevant program assessments, the study team recommends to the Task Force that the government consider taking a number of administrative measures in each of the three areas under review as follows:

1. POSITIVE IMMIGRANT SELECTION

- Reorient the system towards the positive selection abroad of immigrants who will make a real contribution to Canadian economic and social well being.
- Broaden and considerably increase the selection of "independent" immigrants by:
  - a. ceasing to require that a job be pre-arranged;
  - b. providing additional points for persons who possess skills in demand; and
  - c. giving more weight in the selection system to language, to education, to assessed suitability.
- Maintain the family class, with minor alterations (e.g. age of parents to be 60, whether sponsored by citizens or permanent residents; children sponsored to be under 18 rather than 21).
- Combine the "assisted relatives" with the "indepen-dents". Set the bonus points at 10 per cent of the pass mark rather than the present 20-30 points, but no longer require a pre-arranged job. This will likely both expand the number of assisted relatives arriving and ensure that they have real long-run prospects of successful settlement.
- Select refugees only from abroad, the number to be determined on the basis of their sponsorship by Canadians and their ability to adapt successfully to Canadian society. Restrict the use of "designated classes" to eastern Europe and to situations where the individual would be a convention refugee if he/she were not still in the home country.

2. PREVENTION OF REFUGEE CLAIMS ABUSE

- Gain control of the major sources of unplanned migration of people to Canada while maintaining fair and equitable systems of redress and humanitarian action.

- Require visitors' visas for nationals of most countries.

- Insist that claims for refugee status be made only when the person is abroad, except for those in "hot flight" - people arriving by direct transport from the country which they are fleeing.

- Provide rapid review of the backlog of 20,000 refugee claimants in Canada:

  a. administratively review the backlog to determine who can be admitted at once as refugees or otherwise;
  b. review of negative decisions by a large, temporary panel of 50 judges with individual oral hearings to determine status of all claimants within 18 months;
  c. remove from Canada all those not determined by judges to be refugees.

3. CREATE A NEW PRIVATE SECTOR PARTNERSHIP IN IMMIGRANT ADJUSTMENT

- Reorient the system of support and adjustment assistance for immigrants.

- Cease federal sponsorship of refugees, but establish a large program of federal cost-sharing of the refugee costs incurred by private sponsoring groups.

- Combine the CEIC Immigrant Settlement and Adjustment Program and the Secretary of State's Cultural Integration program, adding to the resources to permit increased language training by private sector groups.

The overall impact of these and the other alterations suggested would be:

a. a somewhat higher level of immigration, expanding with the economy;

b. a stream of immigrants better and more rapidly able to adjust to and contribute to life in Canada;

c. considerable reduction in the problems associated with the presence in Canada of large numbers of unselected would-be residents who have entered or remain here illegally;

d. federal cost savings of approximately $20 million on adjustment assistance and $19 million on federal/provincial welfare, plus indirect savings in reduced settlement and welfare costs, plus savings on language institutions, with total net savings of perhaps $60 million yearly by 1987/88.

SELECTION OF INDEPENDENT IMMIGRANTS

OBJECTIVE

To attract and select qualified immigrants as suitable permanent residents and future citizens of Canada.

AUTHORITY

Immigration Act.

RESOURCES (000's)

	85/86	
	EAC	**CEIC**
Salaries and Wages	11,897	5,600
O & M	7,124	410
Allowances*	4,426	--
TOTAL	23,447	6,010
Departmental Person-Years	256**	241
Local Engaged Staff Abroad	538	N/A

* Allowances for immigration officers abroad.

** Approximately one half of these resources are devoted to processing the family class members of the principal applicants.

DESCRIPTION

Within the annually set level of immigration, External Affairs (EA) with the assistance of Employment and Immigration Canada (EIC), recruits and selects independent immigrants.

The four sub-sets of the independent immigrant class are: (1) independents; (2) entrepreneurs; (3) self-employed persons; and (4) retirees.

Independents

Independent applicants are assessed on a scale which requires 50 points to pass. However, as of May 1, 1982, all independent immigrants must have a validated job offer with

EIC approval. The test applied by EIC is essentially that there are no Canadians available for the job. This has decreased the number so counted from 33,000 in 1982 to 13,000 in 1984. However, of the 13,000 in 1984, only some 2,500 came on the basis of validated job offers. The remaining were accompanying family members, domestics landed in Canada as part of a program whereby people who perform three years in domestic service are eligible for landed immigrant status, and persons accepted on the basis of discretion exercised by immigration officers.

Entrepreneurs

The stated test for this class is that the person must intend to operate a business in Canada that will employ one or more Canadian citizens or permanent residents, and be able to establish a substantial interest in that business. The number of persons admitted under this heading has increased from 1,475 in 1982 to 3,555 in 1984. Accompanying family members are included in the count, and the number of actual entrepreneurs was only 1,014 in 1984.

Self-employed

A self-employed person is someone who intends to establish a business that will create employment for that person, or will contribute to the cultural and artistic life of Canada. In 1982, 4,889 persons entered in this category compared to 2,705 in 1984. Again the count includes both the self-employed and their accompanying dependants. There were 886 self-employed principal applicants in 1984.

Retirees

To qualify as a retiree a person must be at least 55 years of age and have no intention of working in Canada. In recent years, the annual inflow in this category has been 2,000.

OBSERVATIONS & ASSESSMENTS

The number of independent immigrants selected has declined considerably since the requirement for a validated job offer was introduced in 1982. Only 2,500 job offers were validated by a Canada Employment Centre (CEC) in 1984, of which approximately 1,300 were in the service category (largely domestic service). Sole reliance on having a job arranged may work to the detriment of smaller Canadian firms which cannot afford to recruit abroad. As the economy expands, it would be wise to revert on an objective point system which awards points for occupations in demand and bars the admission of persons in occupations where the demand is zero.

With respect to retirees, the essential concern should be that they do not become a charge on Canada's services. It is unlikely, given the income test, that they will end up on welfare. However, it is likely that they will probably make relatively the same high use of medical services as the general population in that age bracket. Canada is accepting a future significant cost.

In the entrepreneur selection process, the federal government makes the final determination, but the business proposal of the applicant is vetted with the provinces. In general, the provinces are concerned esentially with the business track record of the applicant and less so with the quantum of the proposed investment. There is no magic figure such as a minimum of $100,000, but any typical business plan that will benefit Canada requires a critical level of funding. More importantly, there is current anecdotal and limited statistical evidence that there is some degree of non-fulfillment of business plans - some intentional and some not. EIC reports indicate an abuse rate of 15%.

The self-employed class typically does not bring significant funds. Unless the self-employed person brings unique benefits to Canada, there seems to be little need for a separate category, especially if the full selection system is reintroduced.

It should be kept in mind that the Province of Quebec, through federal agreement, has a real degree of selection independence with respect to immigrants. Accordingly, those applicants rejected by federal authorities have the opportunity of an alternative route into the rest of Canada if they are accepted by Quebec.

EVALUATION

None available.

OPTIONS

The study team recommends to the Task Force that the government consider introducing the following alterations to the program:

a. Reintroduce the point system, increasing the number of points allocated to occupational demand and language skills, deny entry absolutely when the occupational demand rating is zero, and to continue allow points for validated job offers.

b. Restrict retiree class to those with close family member(s) in Canada and former Canadian citizens or residents.

c. Actively monitor the entrepreneurial class to provide modifications to selection criteria to minimize abuse.

d. Eliminate the self-employed class and allow immigration officers sufficient discretion to select relevant persons as self-employed.

RELATIVE AND FAMILY CLASS IMMIGRATION

Employment and Immigration Canada

OBJECTIVE

Canadian immigration law makes explicit provision for reunification in Canada of the relatives of immigrants.

AUTHORITY

Immigration Act.

RESOURCES* ($ Thousands)

	84/85 EIC
Salaries and other O&M	6,000
Person-years	300

* Approximately one half of the EAC Resources noted in the paper on Selection of Independent Immigrants are also devoted to processing the family class member of the principal applicants.

PROGRAM DESCRIPTION

Family Class

Close relatives of immigrants or citizens (the "family class") come to Canada if they are sponsored. They are not assessed on the points system, need not have occupations in demand, etc. They must meet only the basic standards of good health and character and their Canadian sponsor must undertake to provide for them financially for a period of up to 10 years if they cannot provide for themselves.

The close relatives who make up the family class are essentially the spouse, minor children, aged parents or grandparents, or fiancees, of immigrants or citizens.

Over the last three years, the number of these close relatives brought to Canada has varied between 44,000 and 50,000. They make up between 41% and 55% of the total immigrant stream.

In order to facilitate reunification, the department gives a high priority in processing to these close family members.

Assisted Relatives

Immigration policy also provides for a very substantial preference for "assisted relatives". These people consist of brothers and sisters, aunts, uncles, nieces, nephews and their dependents.

Assisted relatives are sponsored by relatives and receive between 15 and 30 bonus points toward the minimum of 50 required for admission. This very substantial bonus has made possible the entry to Canada of many persons who otherwise would not qualify. Since May 1, 1982, however, there has been a temporary requirement that assisted relatives have a job offer validated by a Canada Employment Centre. Validation of a job offer entails a determination that no Canadian resident is available to take the employ-employment.

The number of assisted relatives has been between 5,000 and 12,000 over the last three years, making up between 6% and 10% of the immigration stream.

EVALUATION

There has been no formal evaluation of this element of the immigration stream.

OBSERVATIONS AND ASSESSMENTS

The family class exists in part because not all immigrants are accompanied by their families when they come to Canada. The number of persons arriving each year in the family class is thus essentially a reflection of the number of immigrants earlier selected for landing. Of the 44,000 in the family class in 1984, 17,500 were spouses and accompanying dependent children, 7,200 were aged or infirm parents with accompanying dependants, 11,200 were parents under 60 years of age with accompanying dependents and 3,700 were fiancés with accompanying dependants.

It should be noted that published immigration statistics also include family members under the same heading as the principal applicant. For example, of the 3,555 counted as entrepreneurs in 1984, only 1,014 were the applicants, the rest were accompanying family members. In fact, approximately 11,000 family members can be added to the 44,000 so designated as family class.

Because of its nature, the family class is not, in the view of the study team, a cause of any fundamental concern. Secondary concerns include:

a. marriages of convenience; failure to marry a fiancee;
b. falsification of documents,
c. "courier parents" obtaining a visa simply to leave children in Canada,
d. pyramid sponsorship whereby a child sponsors a parent who then sponsors the sponsor's sibling who sponsors the sibling's spouse who sponsors....

Sponsorship undertakings, which in theory last a decade, are believed to have a significant degree of breakdown and are apparently not enforced. There is, as well, a question as to whether the present sponsorship form is generally enforceable at law, if tested. The period of sponsorship should be reduced from 10 years to three, bringing it into line with the minimum period required to obtain citizenship, on the basis of a tailor-made agreement and provinces should be encouraged to enforce it.

Canadian citizens over age 18 may sponsor parents of any age whereas for permanent residents, the parent(s) must be 60 years of age or over. This age differential may well be a Charter of Rights problem.

The vast majority of the 8,500 assisted relatives landed in 1984 did not in fact have a validated job offer but were allowed landing without it. Most of these (primarily Poles, Vietnamese and Sri Lankans), were processed under relaxed criteria on humanitarian grounds.

The study team believes there is no adequate justification for the very high number of bonus points provided to "assisted relatives". With bonus points alone providing 30% to 60% of the total points required for entry, many immigrants with very low qualifications and poor employment prospects gain entry to Canada through this device. In the view of the study team, these people should be assessed in the "independent" category and provided with a maximum bonus of five points for having relatives in Canada.

OPTIONS

The study team recommends to the Task Force that the government consider introducing amendments to the Immigration Act and Regulations in order to:

a. Establish age 18, rather than the present age of 21, as the maximum age for sponsored children.

b. Establish age 60 as the minimum age for parents sponsored by both Canadian citizens and permanent residents, except in case of infirmity.

c. Reduce the period of sponsorship required for the family class to three years, and enforce the under-takings.

d. Provide for entry of "assisted relatives" as independents, with a maximum bonus of 10% of the total required for admission.

OVERSEAS IMMIGRATION SERVICES TO CANADIANS
External Affairs

OBJECTIVE

To provide information and assistance to the Canadian public, lawyers, and non-governmental organizations regarding immigration program delivery abroad, to administer overseas the Medical Council of Canada qualifying examination and to support Canadian employers recruiting abroad.

AUTHORITY

Immigration Act, 1976.

RESOURCES (000's)	**82/83**	**83/84**	**84/85**
Salaries and Wages	N/A	N/A	900
Other O&M			1,100
TOTAL			2,000
Person-Years			10

PROGRAM DESCRIPTION

Posts abroad are queried on a daily basis by interested third parties who seek information on the standing of individual immigration cases, the reasons for visa refusals, conditions in refugee camps and many other similar subjects. In each instance, the post must investigate and prepare a reply. In addition, posts provide support to employers recruiting abroad with advice on local labour market conditions, assistance with advertising, office space, and arrangements for local interviews. Twice a year, posts make arrangements for the holding of the qualifying examination for foreign doctors of the Medical Council of Canada.

BENEFICIARIES

- Canadian lawyers, immigration consultants, organizations, sponsors and other interested third parties.

- Canadian companies recruiting overseas.
- Medical Council of Canada and foreign medical graduates wanting to work in Canada.

DEPARTMENTAL EVALUATION

No evaluation of this program has been carried out.

OBSERVATIONS

Because of high unemployment the number of companies recruiting abroad has been small in recent years. An improving economy and liberalization of the immigration selection criteria are expected to change this in the near future.

In 1984, 19 companies recruited through the High Commission in London, resulting in approximately $10,000 in non-recoved costs. The companies paid for advertising, extra secretarial help, the cost of delivering promotional material and reimbursed the High Commission for long distance calls and postage. No charge was made by the High Commission for arranging interview, office space, photocopying, scheduling of interviews, placing ads and secretarial assistance by High Commission staff.

The Medical Council of Canada pays all operating costs of its qualifying medical examinations for prospective immigrants including postage, examination hall rental and honorariums for monitors. Time spent by embassy staff is not charged against the Council. Last year 1276 applicants wrote the examinations at 20 different posts.

ASSESSMENT

Employee recruitment is provided both in Canada and abroad by private sector firms for a fee. The service could, therefore, be eliminated or a fee could be charged. Because posts abroad often have suitable candidates available in their files or inventories, elimination of the service would require making arrangements to allow employers to tap these sources, with possible Privacy Act implications.

Requests for information from third parties represent a very heavy workload factor at posts such as New Delhi, Hong Kong and London. Such work is generally non-productive and often causes delays in processing. In the view of the study team, this situation could be improved if access to information about immigration cases, (which are confidential in any case) was limited to the applicant and his sponsor. Where other persons request information, the request would have to be accompanied by the written consent of the applicant to release information. To ensure these requests are not frivolous and to cover the cost of researching and preparing replies a service fee could be instituted for such requests.

OPTIONS

The study team recommends to the Task Force that the government consider reducing this program by:

a. withdrawing from company recruitment except where private sector recruiting companies are not active and institute full cost recovery;

b. instituting cost recovery for participating in the Medical Council program; and,

c. charging a service fee for information provided to lawyers and immigration consultants with the written consent of the applicant or sponsor.

CONVENTION REFUGEE/DESIGNATED CLASS

Employment and Immigration Canada

OBJECTIVE

To fulfill Canada's international obligations with respect to refugees and to uphold its humanitarian tradition with respect to the displaced and persecuted.

AUTHORITY

Immigration Act 1978.
Immigration Regulations 1978, 1982.

RESOURCES ($000)

	83/84	84/85	85/86
Salaries and Wages	1,956	1,900	2,566
Other O&M	42	117	31
TOTAL	1,998	2,017	2,597
Person-years	71	63	72

PROGRAM DESCRIPTION

Each year, as part of setting immigration levels, the Minister of Immigration establishes an annual Refugee Plan specifying the number of government sponsored refugees to be accepted abroad. This number is divided into geographic targets and assigned to individual posts which interview and select persons in refugee camps or those who approach the post and claim refugee status. Posts determine if the persons meet the definition of a convention refugee as defined by the United Nations and the Immigration Regulations. Through Order in Council, the Minister may also designate classes of displaced or persecuted persons. At present, the following classes have been designated:

a. Indochinese - Kampuchea, Laos, Vietnam;
b. Political prisoners and oppressed persons - Chile, El Salvador, Guatemala, Poland, Uruguay;
c. Self-Exiled persons - Albania, Bulgaria, Czechoslovakia, East Germany, Hungary, Poland, Romania, Russia.

In 1984 the government sponsored approximately 10,500 refugees or about half the total humanitarian flow.

The other half of the humanitarian flow consisted of refugees sponsored by family members and private groups, displaced persons coming through special emergency programs and others seeking asylum by making a claim for refugee status after arrival in Canada.

Other Humanitarian Movements

83-84	Total	Refugees and Designated Classes	Special Programs	Refugee Claims and Others
Southeast Asia	5,865	5,839	-	26
Eastern Europe	5,951	3,550	2,217	184
Latin America	3,873	2,785	478	610
Africa	1,107	1,038	-	69
Middle East	2,662	952	1,631	79
Other	1,314	275	880	159
	20,772	14,439	5,206	1,127

BENEFICIARIES

Displaced and persecuted persons.

DEPARTMENTAL EVALUATION

This program has been evaluated on a number of occasions (e.g. Auditor-General, 1982). Departmental evaluations have examined the economic adaptation of immigrants and the problems of unaccompanied minors. A survey of Indochinese refugees after the period 1979-84 was also done. These evaluations show the programs to be well managed and that levels can be controlled effectively.

OBSERVATIONS

Canada has a long tradition of accepting refugees and the displaced, including responding to the Hungarian uprising in 1956, Czechoslovakia (1981), Uganda (1972) and Vietnam (1979-81).

Government officials distinguish among Convention refugees, who theoretically at least are subject to persecution in their home country, designated classes who are residents or former residents of countries which have been deemed to have such poor human rights records that all residents are considered eligible to come to Canada without personally being subject to persecution, and other humanitarian "special programs". The public in general, however, is unaware of these distinctions and believes all categories are "refugees". In 1984, there were some 5,600 convention refugees, 9,700 members of designated classes and 5,472 special program and "other" categories.

Certain countries such as Thailand and Austria, because of their proximity to repressive countries, receive a large number of escapees. Canada and other western nations have agreed to share this burden by resettling some of these escapees. While it is difficult to be precise, it appears to the study team that large numbers of persons among those arriving as members of "designated classes" would not in fact meet the UN definition of convention refugee. Many leave home because they dislike a repressive regime, because disorder or disaster threatens their livelihood and physical security or, indeed, simply to improve their economic prospects. It is also understood that not even all persons classified as Convention Refugees meet the U.N. definition, particularly those sections relating to persecution. This results in a significant number of persons being accepted as refugees or designated classes who are in reality displaced persons or even economic migrants. Moreover, some who are not refugees (but technically qualify as members of a designated class) are often accepted by posts in order to fulfill their quotas under the government's annual refugee plan.

From a small scale, low cost operation in the past, the refugee program has now become very costly. In 1985, over $30 million will be spent on welfare payments to support government-sponsored refugees during their first year in Canada. A further $45 million goes on language training and an estimated $20 million on other aspects of the program. These sums have been growing year by year.

While there is a well-organized refugee advocacy lobby, primarily based on the major church organizations, there is also a substantial number of people who believe that Canada should not accept any significant number of refugees as long as large numbers of Canadians are on the unemployment or welfare rolls.

Private agencies sponsored 4,597 refugees in 1982, 2,671 in 1983 and 3,892 in 1984. Because of their lower overheads and greater access to free or low-cost services from members of the sponsoring group, private agencies are able to settle refugees at a substantially lower cost than the government. However, the commitment required of the private agencies covers only one year and does not extend to providing transportation from overseas to Canada.

ASSESSMENT

In the view of the study team there is a consensus that it would be reprehensible for Canada not to accept as refugees genuine victims of persecution. There is also, however, a substantial body of opinion opposed to spending federal funds to resettle people who are not subject to such persection.

Private agencies should have a qreater role to play in refugee resettlement, both because they are more effective than the government and because of opposition by a segment of the public to spending large public sums on refugees as long as there is a high number of Canadians on welfare, unemployed and dependent on food banks.

The study team believes that the device of the designated class is a useful administrative tool to overcome technicalities in processing, but it has been used in a manner that distorts the refugee program as the public perceives it. This device should be retained but all applicants who are accepted as either convention refugees or designated classes should be required to meet the persecution requirements of the United Nations' definition of Convention Refugee.

The Annual Refugee Plan, while useful in helping the government to manage the refugee flow effectively, distorts the refugee selection system because it requires certain posts to meet pre-determined refugee quotas, resulting in selection officers neglecting refugee determination in order to meet a quota. The refugee portion of the immigration intake should be less structured.

Private sponsors are now required to make only a limited financial commitment of one year to refugees and do not assist in their transportation.

OPTIONS

The study team recommends to the Task Force that the government consider introducing the following alterations to this program:

a. All persons accepted by Canada as refugees, including those in designated classes, should be selected on the basis of a strict application of the persecution requirements of the U.N. Convention definition.

b. Settlement assistance should continue to be provided to indigent refugees, but in partnership with private refugee sponsoring groups as outlined in the paper on the "Federal Social Assistance Program".

c. The number of refugees that the private sponsoring groups are prepared, with Government aid, to sponsor, would constitute Canada's annual refugee intake.

IMMIGRATION MEDICAL ASSESSMENTS

Health and Welfare Canada

OBJECTIVE

To ensure that prospective immigrants to Canada pose neither a medical threat to present citizens nor a financial burden to Canadian Health Services.

AUTHORITY

Immigration Act 1976

RESOURCES	**83/84**	**84/85**	**85/86**
Salaries and Wages	3,008	3,339	3,153
O&M	1,846	1,990	816
Capital		8	
TOTAL	4,854	5,337	3,969
Person-Years	47	50	44*

* Includes 23 person-years (Medical Doctors) transferred to External Affairs, April 1, 1985.

PROGRAM DESCRIPTION

1. All immigrants coming to Canada, all visitors staying longer than three months and all persons working in Canada in the food and hospital industries, even for periods of less than three months, must pass a medical exam.

2. The medical examinations are generally carried out by designated physicians. The reports of those physicians are assessed by the staff of Immigration Medical Services who grade them into seven categories of risk and make recommendations as to their admissability into Canada.

3. The reviews are carried out by a staff of 50 including 23 doctors stationed in 14 embassies abroad. In addition to assessing the medical reports of the designated physicians the doctors stationed abroad provide, on request, check ups for overseas officers and their families.

4. The medical assessments are intended to determine whether the individual (a) may place an undue burden of expense on the Canadian medical or social systems, or (b) has a condition which may be a danger to public health or safety.

5. In 1984-85 the service reviewed 144,000 medical reports, up from 130,000 reports in 1983-84.

BENIFICIARIES

Canadians in general. Foreign service staff and families.

DEPARTMENTAL EVALUATION

There have been two audits since 1980 with no major problems found.

OBSERVATIONS

1. Thirty five million visitors or immigrants enter Canada each year, but medical examinations are required of only 144,000. While those not examined are short term visitors (less than three months, frequently only for a day or so), the risk of passing on communicable diseases cannot be vastly greater for long term than for short time visitors. However, the majority are from countries whose health standards are comparable to those of Canada (i.e. U.S.A. or Western Europe) and for these short term visitors no medicals are required.

2. Data are not available on the costs saved by denying admissions to prospective immigrants whose admission would entail undue medical expense.

3. Calculations suggest that the time taken to carry out the assessment of the examination is reasonable - 9.5 minutes in Canada.

4. There is no valid rationale for the continuing provision of in house medical check-ups to federal public servants in embassies abroad and no reason to avoid centralizing the review of the examinations in Canada with a few personnel remaining in high-volume immigration posts abroad (Hong Kong, Delhi etc.)

OPTIONS

The study team recommends to the Task Force that the government consider introducing the following alterations to the program.

a. Eliminate medical check-ups for embassy staff and their families.
b. Extend the examination-free period for visitors from 3 to 6 months.
c. Reduce staff by 30 per cent and centralize most of remaining staff in Ottawa.
d. Replace medical doctors with medical technologists.
e. Carry out a study to determine whether continuance of the service is cost-justified.

TRANSPORTATION AND MEDICAL LOANS

Employment and Immigration Canada

OBJECTIVE

To provide loans to indigent immigrants to cover (a) their transportation to their final destination in Canada and (b) the cost of required medical examinations.

AUTHORITY

Immigration Act 1976.

RESOURCES (000's)	**83/84**	**84/85**	**85/86**
Salaries and Wages	335	347	383
Other O&M	104	22	10
TOTAL	439	369	393
Person-Years	9	9	10

Loan funds for this program are provided through a revolving fund with a capitalization of $60 million. The statement below shows the balance of this fund since 1978-79, in millions of dollars:

	Disbursements	Recoveries	Balance Outstanding
1978-79	1.3	0.8	3.7
1979-80	16.1	1.1	18.7
1980-81	16.5	3.7	40.5
1981-82	9.5	7.0	43.0
1982-83	11.5	9.1	45.4
1983-84	13.7	10.5	48.5
1984-85	19.5	13.2	54.8

PROGRAM DESCRIPTION

Transportation loans are authorized either when the immigrant is selected overseas or when the sponsorship undertaking is completed in Canada. Loans must be repaid beginning usually one month after arrival in Canada. Loans are interest-free for refugees. Others pay interest at a rate determined annually, currently 10.75%.

The following are eligible for Transportation Loans:

1. Convention Refugees and members of Designated Class.
2. Immigrants with an occupation in high demand in Canada.
3. Immigrants recruited overseas by Canadian employers on the basis of a prior approval from the EIC official.
4. Sponsored dependents.

Medical examinations are arranged for refugees overseas. These examinations are conducted by private physicians. Since nearly all refugees are indigent they need loans to cover the costs.

BENEFICIARIES

The beneficiaries are those receiving the loans. In recent years they have nearly all been convention or designated class refugees.

DEPARTMENTAL EVALUATION

No evaluation of this program has been done.

OBSERVATIONS

As a result of high unemployment, the government, in May 1982, severely restricted the entry of independent workers. This has in effect converted the Transportation Loans program into a refugee program.

Prior to the "boat people" crisis in 1979-80, this program was relatively small with annual disbursements of only about $1 million. Since then disbursements have climbed steadily to reach $19.5 million in 1984-85. The value of individual loans has remained fairly consistent ranging from $1,200 to $1,400. However, the number of loans has increased dramatically from 7,809 in 1981-82 to 13,551 in 1984-85. Loans issued overseas have remained at 7-8,000 per year, but loans issued in Canada for landed immigrants to bring their dependants to Canada have increased dramatically from 675 in 1981-82 to 5,464 in 1984-85.

During the 1970s, approximately 93% of loans were repaid eventually. It is not clear whether the experience of the 1980s will be the same. It is notable that a major repayment lag has developed, with outstanding loans increasing from $4 million to $54 million over six years. At the latter level, the foregone interest cost to the federal government is about $5 million yearly.

ASSESSMENT

Outlays under this program have escalated rapidly in recent years. In the view of the study team, action is needed to reduce the outstanding balance.

The increasing number of loans to people already in Canada appears to be a major factor in the increase. If they are good credit risks, they should either have the funds to pay for their relatives' transportation or be able to obtain loans from banks or other financial institutions for this purpose. If they are not good credit risks, the government ought not to make loans to them. There thus appears to be no justification for federal loans to persons to bring their relatives to Canada.

The study team believes there is no clear reason why the taxpayer should subsidize Canadian employers by providing low-cost loans for offshore recruitment. Highly qualified independent immigrants should have sufficient funds or access to funds to eliminate the need for loans to this type of immigrant.

With rare exceptions, refugees and designated classes have had to leave all of their assets behind when fleeing their home countries and have no funds to pay for transportation to Canada from the refugee camp in their country of first asylum. Without assistance in the form of transportation loans, there would be no way for these people to accept Canadian offers of resettlement.

Considering the settlement and assistance programs now available to refugees and designated classes, it would appear that they could well offer to pay the standard interest rate applicable to other loans.

OPTIONS

The study team recommends to the Task Force that the government consider introducing the following alterations to the program:

a. Restrict eligibility for Transportation and Medical Loans to Convention Refugees and members of Designated Classes applying overseas.

b. Institute an interest charge on Transportation and Medical Loans to Convention Refugees and Designated Classes with the sole exception of disabled refugees.

IMMIGRANT ADJUSTMENT ASSISTANCE

Employment and Immigration Canada

OBJECTIVE

To provide financial assistance in the form of grants and loans for the basic needs of newly arrived indigent immigrants (overwhelmingly convention refugees and designated classes) normally for one year or until continuing full-time employment is obtained, whichever comes first.

AUTHORITY

Immigration Act 1976.

RESOURCES (000's)

	83/84	84/85	85/86
Salaries and Wages	$ 3,300	$ 3,500	$ 4,500
Other O&M	45	46	47
Grants/Contributions	25,000	28,719	30,719
TOTAL	$ 28,345	$ 32,265	$ 35,266
Person-years	99.5	108.7	124

PROGRAM DESCRIPTION

In essence, this is a federally paid and administered welfare system for indigent immigrants.

Immigrants who lack resources or financial sponsors (mostly refugees or members of a designated class) are supported for one year or until they obtain employment, whichever comes first.

Indigent immigrants are provided with funds on the same scale as applied by the province in which they reside.

The cost of the program has risen sharply - from $2.7 million in 1978/79 to $35.3 million in 1984/85. The main reason for the increase has been the government's decision to "sponsor" large numbers of refugees or designated classes. Sponsoring involves taking on financial responsibility for them.

Over $30 million of the $35.3 million total is provided to the 11,000 refugees "sponsored" by the federal government - an average of close to $3,000 each, regardless of age.

The assistance may be provided in the form of grants or loans. In practice, very little is provided in the form of loans.

BENEFICIARIES

Indigent immigrants, provincial and municipal governments who are relieved of the burden of such cases.

DEPARTMENTAL EVALUATION

There has been no formal evaluation of this program.

OBSERVATIONS

Government "sponsorship" of refugees and indigent classes is expensive and involves the federal government in the administration of a small welfare system parallel to that of the provinces. Administrative costs are about 13% of total costs.

Private sector sponsorship of refugees, on the other hand, costs the government nothing - voluntary groups, largely church groups, provide support, counselling, and necessary financial assistance to 4,000 refugees yearly. They receive no federal assistance with those costs.

Private sector groups are able to sponsor at a much lower unit cost than the federal government - they depend on much volunteer effort, on gifts of good used furniture and clothing, they can "shop around" for bargains, and can temporarily lodge people with group members, rather than using hotels.

Provincial governments would prefer that the federal government continue the "sponsorship" beyond the "first job or first year" cutoff. Continuation would save them at least some minor welfare costs.

Federal government assistance costs could be reduced if indigent immigrants could be provided with languge training and jobs, more rapidly. It should be noted that the cost per federally-sponsored indigent refugee or designated class person is far in excess of the $3,000 per capita in financial assistance costs. A majority does receive about five months of federally-funded language training in the first year, at a cost of perhaps $7,000.

ASSESSMENT

This is a federally-funded welfare program for immigrants which has grown considerably with the government's decision to "sponsor" growing numbers of refugees and designated classes.

The essential factors underlying the very substantial and rising cost of this program are: a) the decision to have federal government "sponsored" refugees in very large numbers, and b) the relatively high unit cost of federal government assistance.

The study team believes that this program should be replaced by a partnership between the government and the private sector.

Under the proposed Refugee Sponsorship Partnership, the federal government would cease sole sponsorship, but offer to cover half the out-of-pocket costs of private sector (largely church group) sponsorship of genuine refugees selected abroad. Such a partnership could result in:

a. an increase - of 50% or 80% - in the number of refugees sponsored by the private sector,

b. a sharp decrease in federal grant cost per refugee; near elimination of federal administrative costs,

c. in all probability, a reduction in federal costs from the present $35 million to well below $10 million yearly.

OPTIONS

The study team recommends to the Task Force that the government consider replacing the program with a "Refugee Sponsorship Partnership" program with the private sector, covering 50% of the private sector out-of-pocket costs of sponsoring refugees selected abroad.

LANGUAGE INSTRUCTION AND TEXTBOOK AGREEMENTS

Secretary of State

OBJECTIVE

To assist the provinces in providing citizenship and official language instruction and textbooks for adult immigrants.

AUTHORITY

Federal-provincial agreements through annual appropriation in main estimates.

RESOURCES ($000)

	83/84	84/85	85/86
Salaries	44	44	44
Grants & Contributions	9,315	8,088	8,500
TOTAL	9,359	8,132	8,544
Person-years	1	1	1

PROGRAM DESCRIPTION

The Federal government reimburses provinces for half the provincial teaching costs of part-time and evening official languages instruction and 100% of costs of textbooks. Instruction is provided through school boards, community colleges and occasionally voluntary agencies. There is no limit on the amount of shareable costs nor on duration of agreements, except that the amount reimbursed for textbooks ($246,000 in 1984-85), cannot exceed the average of the preceeding five years. The program has existed virtually without change for 30 years - British Columbia was the last to join in 1983.

BENEFICIARIES

Adult immigrants, persons on ministers' permits awaiting landed immigrant status and Canadians seeking language training. The Department estimates that 90,000 benefit annually, but the true number is unknown.

DEPARTMENTAL EVALUATION

No evaluation has been conducted.

OBSERVATIONS

Secretary of State funding supports part-time instruction for those ineligible for job-related Canada Employment and Immigration Commission (CEIC) language training.

CEIC provides full-time (24 weeks) language training and allowances to adult immigrants destined to the labour force at an annual cost of $52 million.

In 1984, almost half the 15,000 CEIC language training course participants were female; over 2/3 were over 25 years of age; over half were married and almost a quarter had one or more dependent. Many language trainees tended to have either relatively low education (15% had seven years or less) or relatively high education (15% with 14 years or more).

In the Textbooks Agreement, the definitions are too narrow to encompass modern teaching technology, public television, and so forth.

There is no centralized information on how the money is actually spent.

Language training is a complex issue that crosses a number of jurisdictions - federal provincial, inter-departmental, intra-departmental, government/voluntary. It is delivered in different ways and addresses a variety of needs. Presently, there are no national standards, needs are not documented, and quality and duration of training varies widely, as do objectives.

The issue of language training was reviewed in 1979 by a Task Force of the Council of Ministers of Education; by an interdepartmental study group in 1982-83 and by Secretary of State more recently. No changes resulted from these reviews.

Language training is seen as the key to successful integration. Opinions, supported by some facts, indicate that early access to effective language training improves chances for "successful settlement" of immigrants and that lack of language ability keeps people socially and occupationally isolated. A recent CEIC study shows a strong statistical relationship between knowledge of English and higher earnings/lower unemployment.

Language training is most often the central activity provided with other aids to integration such as counselling, lifeskills information, referral, job search and other services commonly funded through the EIC Immigrant Settlement and Adaptation Program. Many persons on EIC full-time language training are on training allowances.

Concerned groups express strong views that immigrant women lack access to language training because they are ineligible for EIC training unless they are entering the labour force; they cannot obtain child care or cannot overcome cultural barriers to participation in training.

An increasing proportion of Canada's immigrants speak no English or French. Thirty per cent of Metropolitan Toronto residents do not claim English or French as their mother tongue. Indo-Pakistani, Chinese, Spanish and Portugese speaking persons have, between 1971 and 1981, markedly (100-300%) increased their proportions of the population and now constitute 8% of the total in Toronto. While opinions were expressed that language training needs were not being met, this is not documented on a national level.

ASSESSMENT

Of the roughly 30,000 adult (age 20 and over) immigrants admitted to Canada in 1984 speaking neither English nor French, 15,000 completed language training through EIC, and an undetermined number were among the apparent 90,000 persons attending Secretary of State supported classes.

The numbers who received no language training could, therefore, be smaller than the statements about unmet needs would lead one to expect.

The total funds expended might be better spent if federal limits, criteria and definitions were set for federal-provincial cost-sharing under the Language Training and Textbook Agreements and a formal relationship was established with the CEIC language training program to ensure complementarity of aims, criteria, definitions, eligibility and monitoring/information requirements.

Many immigrant aid groups would favour broadening the terms of CEIC Language Training to accommodate immigrants not destined for the labour market. This is, however, the most expensive way to provide language training.

It would be possible to take the position that the provision of language training to persons not entering the work force is a provincial responsibility which should be paid for by the province.

OPTIONS

The study team recommends to the Task Force that the government consider negotiating new agreements with the provinces covering both language training and instructional materials in consultation with CEIC and including provision for program goals, spending limits, eligibility criteria, instruction objectives, monitoring, accountability and reporting requirements.

IMMIGRATION SETTLEMENT AND ADAPTATION

Employment and Immigration Canada

OBJECTIVE

To facilitate the initial stages of social and cultural adaptation of recently arrived immigrants to Canadian society.

AUTHORITY

Immigration Act, 1976; Immigration Regulations, 1978; June 1974 Cabinet Document.

RESOURCES ($000s) **(Estimated)**	**83/84**	**84/85**	**85/86**
Salaries and Wages	447	412	510
Other O & M	46	13	13
Grants/Contributions	3,151	3,144	3,144
TOTAL	3,644	3,569	3,667
Person-Years	13	12	11

PROGRAM DESCRIPTION

Immigration Settlement and Adaptation (ISAP) administrators contract with voluntary agencies to provide direct services to immigrants, such as preparation for employment, counselling and settlement assistance.

In 1984/85, 121 different agencies received amounts ranging from under $10,000 to $100,000 and more, with the majority in the $40,000 to $60,000 range.

ISAP also provided 22 agencies with an average of $14,270 each to gather information on clients in order to assess needs and to improve services.

The maximum duration of contracts is 12 months. Agencies must provide the services in liaison with local Canada Employment Centres and on a non-discriminatory basis.

BENEFICIARIES

Permanent residents of Canada (i.e., "landed immigrants") or persons allowed to remain in Canada and for whom it is the intention of CEIC to grant permanent resident status. Some 98,000 persons (half refugees; half family class immigrants or assisted relatives) received some 225,000 services in 1984-85.

DEPARTMENTAL EVALUATION

No formal evaluation: a pre-evaluation assessment was completed in February, 1984.

OBSERVATIONS

There may be some funding duplication of voluntary organizations for essentially the same purposes with the Secretary of State Cultural Integration Program. The latter assists voluntary organizations which provide settlement/ integration services. It would appear to duplicate ISAP.

The private sector ISAP agencies provide services at a lower cost than if they were provided by federal or provincial agencies, especially since many utilize large amounts of voluntary help and pay low salaries. There does not appear to be any gain to be made by funnelling the funds for these voluntary agencies through provincial agencies.

The voluntary agencies concerned appreciate ISAP funding, but would prefer a) funding for periods in excess of a year, b) core funding as well as service contract funding, and c) more funding.

ASSESSMENT

ISAP agencies provide a considerable volume of services to recent immigrants at relatively low cost. It is not, however, known whether the services provided are those most required.

ISAP (CEIC) and Cultural Integration funding (SS) are provided to the same groups for essentially the same purposes. In the opinion of the study team, the two should be amalgamated to provide a single window for fund-seeking agencies and to reduce administrative costs.

There does not appear to be any further advantage to attempting to devolve this program to the provinces.

OPTIONS

The study team recommends to the Task Force that the government consider the following program changes:

a. The Immigrant Settlement and Adaptation Program and the Cultural Integration Program of the Secretary of State be combined, with a 10 per cent reduction in administrative costs.

b. The annual expenditure base of the combined program be increased by $1 million by 1987-88.

c. A limited proportion of agencies' core administrative costs be chargeable under the program.

d. The Secretary of State and the Minister of Employment and Immigration advise the Prime Minister on the most appropriate location for this particular program, based on a broader machinery-of-government review of the overall responsibilities of both departments for immigrant settlement and cultural integration.

CULTURAL INTEGRATION

Secretary of State

OBJECTIVE

Shares overall multicultural objective of ensuring the full participation of all cultural and racial communities in shaping the nation's social, cultural, political and economic environment.

AUTHORITY

Appropriation Act (Main Estimates)

RESOURCES ($000s)	**83/84**	**84/85**	**85/86**
Salaries	200	200	200
Grants/Contributions	2,586	2,698	2,631
TOTAL	2,786	2,898	2,831
Person-Years (est.)	6.5	6.5	6.5

PROGRAM DESCRIPTION

In 1984-85, the program provided an average of $17,000 each to 150 voluntary organizations for settlement and integration services to immigrants. Projects funded include "life-skills" courses in the areas of health, money matters, shopping, training opportunties and adult basic education offered in a group setting. Funding applications must be made annually, are reviewed by Regional officials and by interdepartmental (EIC/SS) boards with provincial representation to avoid duplication among funding programs. Applications are approved by the Minister of Multi-Culturalism.

BENEFICIARIES

Immigrants, through 150 voluntary organizations.

DEPARTMENTAL EVALUATION

No evaluation has been carried out.

OBSERVATIONS

This is the only one of seven granting programs of the multi-culturalism branch supporting the multi-ethnic community which is largely directed at newcomers.

The Multiculturalism Branch has expanded its programs from an earlier focus on cultural retention by older ethnic groups to respond to a more recent concern with social integration of third world immigrants.

The Cultural Integration Program shares with similar programs common problems of agency dependency and skewing of activities to meet grant criteria. The more articulate groups tend to get the funds.

The Immigrant Settlement and Adaption Program of EIC has a purpose similar to that of the Cultural Integration Program, and funds many of the same agencies. However, while ISAP services are provided only during immigrants' first three years in Canada, CIP funded projects may serve immigrants over a long period, even when they have become citizens.

ASSESSMENT

Very little information is centrally available concerning the services provided by the agencies funded. It is thus difficult to assess the overall value of the expenditure but, based on information from a few agencies, it is likely quite high, given that voluntary agencies tend to perform at relatively low cost.

In the view of the study team there is no apparent reason for maintaining the Cultural Integration program of the Secretary of State and the Immigrant Settlement and Assistance program of EIC as separate programs. While there are differences, they are minor in nature. Combination would integrate service to the public and permit some savings in the administrative overhead.

OPTIONS

The study team recommends to the Task Force that the government consider the following program modifications:

a. The Cultural Integration Program be combined with the Immigrant Settlement and Adaptation Program, with a 10 per cent reduction in the costs of program administration.

b. The annual expenditure base of the combined program be increased by $1 million by 1987-88.

c. A limited proportion of agencies' core administrative costs be chargeable under the program.

d. The Secretary of State and the Minister of Employment and Immigration advise the Prime Minister on the most appropriate location for this particular program, based on a broader machinery-of government review of the overall responsibilties of both departments for immigrant settlement and cultural integration. (See assessment of Immigration Settlement and Adaptation Program.)

CITIZENSHIP REGISTRATION AND PROMOTION

Secretary of State

OBJECTIVE

To promote Canadian citizenship, provide services for the acquisition and proof of Canadian citizenship and provide other services mandated by legislation.

AUTHORITY

Citizenship Act.

RESOURCES ($000s)

	83/84	84/85	85/86
Salaries and Wages	11,124	9,678	9,839
Other O & M	790	1,972	1,596
Other Expenditures	146	192	146
Capital	184	37	28
TOTAL	12,244	11,879	11,609
Revenues	1,994	2,000	6,500
Net Cost	10,250	9,879	5,109
Person-Years	429	330	330

PROGRAM DESCRIPTION

Citizenship applications with supporting documents and fees are submitted to regional citizenship courts, examined by an officer of the court for completeness and then forwarded to the Sydney, N.S. office. Sydney arranges criminal and security clearances and checks and enters the applicant's particulars into an index. The verified application is returned to the court, and the citizenship judge determines through an oral hearing whether the applicant meets the criteria for citizenship set out in the Act (knowledge of one official language, of Canada, and of the responsibilities and privileges of citizenship) and has a substantial connection to Canada. Granting of approval is recorded in Sydney where a certificate is prepared and sent to the court to which the applicant returns for a ceremonial oath-taking administered by the judge. Decisions of the judge are appealable to the Federal Court whose decision is final.

The Branch also receives applications for and provides proof, of Canadian citizenship.

The Branch promotes citizenship through the ceremonial activities of the citizenship courts, through promotional activities of its officers in the community and through public education and information activities.

In 1984-85 the Branch processed 135,000 applications for grants of citizenship, 49,000 applications for proof of citizenship and conducted 37,000 record searches. Services were provided through 28 Courts of Canadian Citizenship presided over by 33 citizenship judges and supported by 102 officers and other staff of the court. Judges granted 97,000 citizenships in 1984-85. Services are provided in every capital city and major metropolitan area, with some smaller centres covered through circuit arrangements. Almost 40% of applications are made in Toronto.

Citizenship judges are appointed by Order-in-Council, paid at the level of senior managers in the public service (i.e. up to $59,000 annually) and work full-time. The total annual salary cost for 33 Judges is $1,848,000. Judges must be Canadian citizens, but the Act specifies no other qualications. Judges spend 25% of their time "on circuit" and average one speaking engagement promoting citizenship per week. They average 3,000 hearings a year, each one lasting about 15 minutes. Busy courts have about 2-3 ceremonies a week, lasting 45 minutes, with a 15-20 minute reception afterwards. The result is that most judges are quite productive and put in a fair day's work.

BENEFICIARIES

Permanent residents applying for Canadian citizenship. Canadian citizens requesting verification and proof of citizenship; general public seeking information on citizenship.

DEPARTMENTAL EVALUATION

No evaluation has been conducted.

OBSERVATIONS

a. A review of the Citizenship Act is underway with a view to amending the 1977 Statute.

b. Forty-eight per cent of costs should be recovered in 1985-86 following increase of citizenship application fees on April 1, 1985 from $15 to $40 for adults and $8 to $15 for minors.

c. The Regulatory Reform Study Team observed that no problems were identified from the regulatory point of view but suggested that the costs of the ceremonial aspects of the program could be reduced. The Regulatory Reform review appears, however, not to have taken into account the major non-ceremonial functions performed by Judges. Judges and their staff play a major role in testing.

d. In 1984, of 124,000 adult applicants, 4,137 (3.3 per cent) were rejected by Citizenship Judges for failure to meet knowledge requirements. Knowledge of Canada, of the official languages and of the obligations of citizenship are required by the Act.

ASSESSMENT

In the view of the study team the present system of citizenship courts and judges appears to meet the purpose of requiring some effort on the part of applicants and indicating to them the meaning and value of Canadian citizenship and the rights, privileges and obligations it confers. Moreover, the acquisition of citizenship is seen by many people as a "rite of passage",for the full integration of permanent residents into Canadian society. If these views are fairly widely held (and they appear to be), the question is whether the present system is the most efficient and cost-effective.

If people matter more than numbers, and if the process is not to be passive, then the testing of applicants must have a discretionary element, which the judges exercise.

The present system appears to function fairly well. The introduction of partial cost-recovery has reduced the net cost to government.

The study team believes that costs could be reduced by either a) having the knowledge and language testing carried out by lower paid officers and retaining judges on a part-time basis for the purely ceremonial aspects, saving approximately $600,000; or b) amending the Act to abolish the knowledge and language requirement and abolish testing, thereby saving approximately $1.4 millions.

OPTIONS

The study team recommends to the Task Force that the government consider introducing two administrative alterations to the program:

- Have citizenship knowledge testing performed by other, lower paid officers of the court; retain judges on a part-time basis for the ceremonial aspects; raise cost-recovery ratio to at least 80 per cent by March 31, 1986.

- Amend the Act to eliminate knowledge and language requirements, retain judges on a part-time basis for the ceremonial aspects.

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VISITOR AND IMMIGRANT EXAMINATIONS

Employment and Immigration Canada

OBJECTIVE

To ensure that all individuals entering or re-entering Canada are interviewed to determine whether they may be legally admitted.

AUTHORITY

Immigration Act of 1976.

RESOURCES ($000's)	**84/85**	**85/86**
Salaries and Wages	14,498	14,155
O&M	729	1,063
TOTAL	15,227	15,398
Person-Years	378	325

DESCRIPTION

All individuals entering Canada must undergo an examination at the point of entry to determine if they may be legally permitted to enter.

The primary examination is done by a custons officer. If there is a lack of, or improper documentation, or the information obtained is inconclusive, the person is referred to an immigration officer who conducts a secondary examination.

The immigration officer has the power to refuse or grant entry to a person. If the immigration officer decides to deny entry, he may:

a. allow the person voluntarily to withdraw from the country, or
b. ask that a formal inquiry be held to determine admissibility.

In 1984 about 35 million people entered Canada. About 1.9 million of them were referred to immigration officers for a "secondary" examination. Immigration officers denied entry to 67,000 persons, of whom 45,000 voluntarily withdrew.

BENEFICIARIES

Canadian society.

EVALUATION

This program has not been evaluated.

OBSERVATIONS

The secondary examinations appear to be carried out courteously and efficiently.

Immigration officers conducting the secondary examination appear to be well trained and competent.

ASSESSMENT

It is the view of the study team that the secondary examination is essential to maintaining control of Canadian borders. It appears to be efficiently conducted. There does not appear to be any alternative to maintaining it.

OPTIONS

The study team recommends to the Task Force that the government maintain the program without change.

RETURNING RESIDENTS' PERMITS

Employment and Immigration Canada

OBJECTIVE

To provide assurance that immigrants who are out of the country in excess of 183 days in a 12-month period have not abandoned their residence status in Canada.

AUTHORITY

Immigration Act of 1976

RESOURCES

Costs are negligible but unknown.

DESCRIPTION

The Immigration Act provides that landed immigrants who have left the country may be denied re-entry at the border and lose their status as landed immigrants if the officer has reason to believe that they have abandoned their residence in Canada.

In order to remove potential problems and provide reassurance to immigrants out of the country for extended periods, Returning Resident Permits are issued on request to those who wish to leave Canada for a total of more than six months in any 12 month period.

BENEFICIARIES

Landed immigrants who are outside Canada for extended periods.

DEPARTMENT EVALUATION

There has been no evaluation.

OBSERVATIONS

At a negligible cost this program provides assurance that immigrants abroad for extended periods will be accepted back into Canada as permanent residents.

In 1984, 5,495 permits were issued to immigrants going abroad.

ASSESSMENT

It is the opinion of the study team that this program is not essential, but neither is it costly. It does obviate some problems for immigrants in proving permanent residence.

OPTIONS

The study team recommends to the Task Force that the government continue this program without change.

IMMIGRATION ENFORCEMENT AND ADJUDICATION

Employment and Immigration Canada

OBJECTIVE

To detect and exclude or remove from Canada people who are inadmissable under Immigration law.

AUTHORITY

Immigration Act (1976) and Regulations (1978)

RESOURCES ($000s)

	83/84	**84/85**	**85/86**
Salaries	19,880	22,185	19,071
O & M	8,858	7,547	7,106
TOTAL	28,738	29,732	26,177
Person-Years	586	629	639

PROGRAM DESCRIPTION

Prevention of illegal entry: The Immigration Act provides for the screening of visa applications abroad (External Affairs), the inspection of persons seeking entry to Canada at borders and airports (Revenue Canada/Customs) and for the examination and refusal of entry by an immigration officer (CEIC) of those judged inadmissable. These preventive aspects of enforcement are described separately in the program assessments entitled "Selection of Independent Immigrants" and "Visitor and Immigrant Examinations". This assessment is concerned exclusively with the costs of discovery, adjudication and removal of persons not legitimately in Canada.

Investigation and Arrest: The investigation of immigration violations and the detection and arrest of persons who have entered or remained in Canada illegally are the responsibility of immigration officers. In 1984-85, 155 person-years were used to undertake 65,000 investigations, 2,400 arrests and to prepare reports on 22,000 persons found to be in contravention of the Act. Sixteen thousand of the 22,000 were cases of simple overstay or minor infractions. They either departed voluntarily or were issued Ministers' permits to complete their visits (courses of study, in the case of students). Only 6,000 detected inland cases actually led to the holding of inquiries.

Inquiries: When people are refused entry to Canada or are asked to leave once here, they are reported by the immigration officer. Inquiries are held by adjudicators who decide whether a person will be allowed to enter or remain in the country. Last year, 49 adjudicators opened 11,000 (6,000 inland; 5,000 at borders/airports) inquiries. The cases were presented by case presenting officers (60 person-years)and the individuals were represented by themselves or by counsel.

Detention: Persons who are considered to be a threat to themselves or others or are judged unlikely to appear for an inquiry, may be detained pending inquiry or removal. Detentions are in designated hotels, jails or hospitals. Seven thousand persons were detained in 1984-85 for an average of eight days at $80 daily each for a total cost of $4.5 million.

Release Hearings: Adjudicators review the detention of persons held over 48 hours, and once every seven days thereafter. Over 5,000 release hearings were held in 1984-85.

Removals: An adjudicator may admit a person to Canada or decide the person is inadmissable under the Act, in which case the adjudicator issues a deportation order, an exclusion order or departure notice. The more serious deportation order bars future admission to Canada without Ministerial consent. Exclusion orders, used at borders for minor offences, bar admission for one year. A departure notice asks the person to leave but permits reapplication for admission. In certain cases, the person concerned may appeal the adjudicator's decision to the Immigration Appeal Board. The Immigration Appeal Board is described in a separate program assessment.

Adjournment of Inquiry for Refugee Claim: In the course of an inquiry, if a person is found inadmissable, he may make a claim for convention refugee status, whereupon the inquiry is adjourned and a process of determination of the person's refugee claim is initiated. The inquiry cannot be resumed until the refugee status claim is determined. The number of claims has escalated rapidly and in 1984 almost 7,000 such claims were made. This is described in the "Immigration Appeal Board" program assessment.

Supporting Enforcement Functions: There are a variety of supporting functions to the activities described above: 45 officers arrange deportations and escort deportees, often to their destinations abroad; 80 person-years are devoted to intelligence, guard duties, interpretation and appeals activities, 40 person-years support inquiries. Enforcement management and program support is provided through national headquarters, 10 regions and 107 local immigration offices, using 210 person-years.

BENEFICIARIES

No specific beneficiaries, these being the Canadian populaton in general.

DEPARTMENTAL EVALUATION

No departmental evaluation has been done but a pre-evaluation assessment has been prepared.

OBSERVATIONS

No one really knows how many people are in Canada as illegal immigrants. Estimates have been made approaching 50 thousand, yet past "amnesties" have yielded nowhere near that number. There is wide acceptance of the need for effective enforcement of immigration law but an overall, systematic and on-going measurement of the effectiveness of enforcement provisions is lacking.

Increasing resort to fraudulent identity and travel documents to gain entry illegally is circumventing preventive enforcement measures such as the use of visitors' visas abroad. In 1984, some 3,000 cases were uncovered of people using altered or counterfeit documents to gain admission to Canada.

The abuse of the refugee claims process by large numbers of persons who clearly are not in danger of persecution has distorted and delayed the normal enforcement process of inquiry and removal to the point of loss of control of the system with escalating federal costs. Once an inquiry is adjourned for a refugee claim, 3½ years can elapse before it can be resumed for those whose claims have not been successful.

Currently Canada does not deport people to Lebanon, Iran, El Salvador, Sri Lanka, Guatemala, Afghanistan, Iraq, China, Ethiopia or India, allegedly owing to temporary or longer-standing conditions of strife or repression. It is not clear that suspension of deportation is in fact warranted by any danger faced by persons concerned. This suspension of removals is sometimes, in the eyes of many, unduly prolonged. There are, for example, 1,400 persons awaiting deportation to India, where it is extremely difficult to suppose that any real danger exists for deportees.

ASSESSMENT

The basic concept of the enforcement program, with its preventive and corrective arms, is sound and clearly essential. Without enforcement, no immigration policy could exist. However, the control program has been swamped by the rising tide of persons gaining a foothold in Canada through manipulation of our asylum and appeals procedures.

The study team believes strongly that control should as much as possible be exercised at and beyond Canadian borders.

Therefore, in the view of the study team, much higher priority should be given to preventing illegal immigration through screening measures (including visitors' visas requirements) abroad, at points of departure, and at entry points into Canada. It is considerably cheaper to prevent the entry of illegal immigrants than to seek to remove them once they are here. While a precise and totally adequate comparison is not possible, it is clear that the $10-15 million dedicated to visa screening abroad reduces illegal arrivals by something in the order of 60 per cent. On the other hand, the processes of detection, arrest, detention, inquiry, appeal and removal to deal with this number of illegals in Canada, including the cost of processing unsubstantiated refugee claims would cost at least $20 million.

The virtual breakdown of the refugee claims determination process, with its indefinite delays and 20,000 back-logged cases, with the consequent growing abuse of the system to gain entry to Canada, requires the most urgent and immediate legislative and procedural corrective action. The Study Team's assessment of this issue and proposed solutions are presented in the "Immigration Appeal Board" program assessment.

While an enforcement evaluation plan has been developed, audits are conducted, and an analysis and monitoring system has begun, this program still lacks an integrated ongoing analysis of the scope of the enforcement problems and the effectiveness of control measures.

The suspension of deportations to certain countries, while clearly justified in certain circumstances, should be limited to as few countries as possible and only for as long as extraordinary conditions persist. Wherever country or individual circumstances permit, suspensions should be on a case-by-case basis and not (as, for example, in the case of India) undertaken on a "blanket" basis.

The enforcement program and its very considerable costs, are largely a consequence of failure to take more effective measures to prevent illegal entry. In the most basic sense, the best way to reduce enforcement costs is to alter policy and practice so as to prevent illegal entry.

OPTIONS

The study team recommends to the Task Force that the government consider introducing measures to:

a. Recover control of the refugee claims determination process, eliminate the backlog and institute a new, efficient system as proposed in the Assessment Paper "Immigration Appeal Board".

b. Increase the use of the preventive aspects of enforcement (immigrant screening and use of visitors visas abroad, inspection and examination at entry ports).

c. Suspend removals only temporarily in cases where the person would otherwise be exposed to extreme hardship or danger.

IMMIGRATION APPEAL BOARD

OBJECTIVE

To allow an appeal to persons specified in the Immigration Act who have been ordered removed from Canada and to persons in Canada whose relatives have been refused admission to Canada. The Board also permits the redetermination of refugee claims.

AUTHORITY

Immigration Act, 1978.

RESOURCES

		83/84	85/86
1.	Salaries & Wages	2,871	3,731
	O&M	578	756
	Capital	34	10
	TOTAL	3,483	4,497
	Person-Years		89

DESCRIPTION

The Immigration Appeal Board (IAB) deals with two types of cases:

a. appeals from or on behalf of persons who have been denied entrance into Canada or who have been ordered removed from Canada;and

b. persons in Canada who have been denied refugee status (refugee determination).

The IAB is composed of one national chairperson, and regional chairpersons and members (18 in total), along with 71 support staff located in five locations in Canada - Ottawa, Montreal, Toronto, Winnipeg and Vancouver. There is some interchange of members of the various panels to ensure consistency in decision making.

There are 150 weeks of hearings per year with the rest of the time being spent on providing written reasons for judgement. In 1984, this time allocation allowed for 696 appeals and some 1,000 redeterminations of refugee status.

Most hearings take at most a few days, but there have been hearings taking up to three weeks.

OBSERVATIONS

Canadian policy provides for the selection abroad of several thousand refugees, and their admission to Canada.

Canadian policy also provides that persons may by-pass the refugee selection process overseas and come to Canada to claim refugee status. Their claims are considered by the Refugee Status Advisory Committee which advises the Minister who determines if the person is a Convention refugee. A negative decision of the Minister may be redetermined by the Immigration Appeal Board. Persons who have been determined to be Convention refugees may be landed.

Refugee claimants in Canada are generally allowed to take jobs and to have access to Canadian medical and social assistance facilities. The welfare cost is now $38 million annually.

It is highly advantageous for genuine refugees to bypass the Canadian selection system abroad and come to Canada to make their claims to refugee status. In bypassing the process they ensure that they will be among the refugees selected for landing in Canada, rather than left in the pool of those not selected for Canada.

It is also advantageous for non-refugees to come to Canada and claim refugee status. The growing backlog in the system (some 20,000 are in the country and awaiting determination of their claim) over the last several years has greatly lengthened the period of time during which false refugees can remain, live and work in Canada. It now stands at 40 months. With some 7,000 new claimants in Canada each year, and a capacity to make final judgements in only about 1,000 cases yearly, the waiting period will shortly stretch to several decades.

A period of several years of residence in Canada does not establish a legal right to landing, but it does create a situation in which it is difficult for the government to deport individuals unless their behaviour has been criminal. The growth of a major backlog of persons in the country for many years without landed status will almost inevitably lead to a de facto "amnesty" at some point in time. Thus, illegal immigrants who make false refugee claims currently have a very good (increasingly good) prospect of being able to remain in Canada forever.

The ability of the Immigration Appeal Board to deal with large numbers of refugee claims has recently been reduced by the Singh decision of the Supreme Court which requires that oral hearings be held in all cases.

Most persons who make refugee status claims in Canada are not in fact refugees. The Refugee Status Advisory Committee rejects 70% of all claims; the Immigration Appeal Board rejects a much higher proportion (approaching 99%).

ASSESSMENT

The study team believes that the IAB is well-equipped to deal with conventional appeals.

The recent Plaut Report recommended that all genuine refugees who had prior protection in another country and who choose to come to Canada should be landed, and that a more expeditious system be set up for determining the validity of refugee claims made in Canada. A truly rapid system of final determination of refugee claims would substantially remove the incentive to make false claims to refugee status, because a false claim would no longer guarantee a stay of some years in the country.

The Study Team concurs that a rapid "Plaut-type" claims determination process would vastly reduce the number of spurious claims in the future.

A rapid system of determination would not, however, reduce the current claims backlog. Nor would it remove the incentive for genuine refugees to ensure their selection for Canadian landing by by-passing the selection system abroad in order to make their claims in Canada.

In order to eliminate the bypassing of the Canadian refugee selection system, it will be necessary to ensure that claims to refugee status are considered only when the person is abroad, except for those fleeing to Canada directly from the country of flight. When such a system has been in place for some time, the flow of persons coming to Canada to claim refugee status will drop sharply. In the interim, however, it will be necessary to put facilitating agreements in place with those countries providing direct transport links to Canada to ensure that they will admit persons returned to them by Canada for regular refugee selection.

In the view of the study team, two steps are required to deal with the current claimant backlog. The first is to carry out a rapid administrative review to determine how many of the claimants now in the country can be landed. The second is to establish a large temporary panel of approximately 50 "refugee claims judges" to hear claims. We estimate that well under two years would be required to hear all the claims orally, at a total cost of $3 million. If the claims were heard by three-judge panels, instead of one-judge panels as is traditional in Canadian law, the cost would rise to about $9 million, and about 150 judges would be required to review the appeals over the same period of time.

OPTIONS

The study team recommends to the Task Force that the government continue the Immigration Appeal Board while introducing the following measures regarding the refugee status:

a. ensure that claims to refugee status will be considered only when the person is abroad - except in the case of persons arriving by direct transport from the country from which they are fleeing;

b. negotiate any necessary agreements with the other countries for the re-entry of refugee claimants while they undergo the regular refugee selection process.

c. review the backlog of 20,000 refugee claims administratively to determine how many can be considered refugees or other immigrant classes;

d. establish a large temporary panel of "refugee claims judges" to provide one-person oral hearings as rapidly as possible for persons now in the country but not landed pursuant to item (c) above.

Adopt a Plaut-type approach.

HUMAN RESOURCING

INTRODUCTION

The study team examined 10 programs related to personnel management and carried out an analysis of the overall staffing system in the federal Public Service in terms of their efficiency and effectiveness, service to clients, ease of application and understanding, duplication with other programs and their economy. The 10 programs reviewed utilized $36 million and 615 person-years in 1985-86.

These 10 programs are part of a federal personnel system which utilizes approximately $500 million and 11,000 person-years annually. About $350 million and 7,500 person-years are accounted for by departments; $150 million and 3,500 person-years are in central agencies.

The cost of personnel administration within the federal system is considerably higher than in the private sector. A Conference Board in Canada Survey in 1984 showed that, while smaller firms averaged one person in personnel functions for every 45 employees, the average for firms and municipal governments of over 200 people was approximately one per hundred. If the personnel function in the federal government were staffed on a comparable basis, the number required in personnel functions would be 2,250 rather than the actual 11,000.

It was not possible for the study team to examine in any detail the elements accounting for the high ratio of personnel staff to other staff. A portion, perhaps 2-3,000, is clearly accounted for by the fact that trainers, including teachers in federal language schools, the Customs Training College, the Coast Guard College,etc. are included in the federal figures but do not appear in private sector data. The impression of the study team is that a great deal of the remainder of the difference between 2,250 and 8,000 is accounted for by the considerably greater complexity of the federal personnel system.

The team took special care not to duplicate the work now being carried out by other groups involved in the review of personnel policy but took their work into account where possible.

BACKGROUND

The programs reviewed may be categorized into five activity areas:

- recruitment - processing applications from persons seeking employment and hiring from outside the Public Service;
- staffing - filling positions from within the Public Service;
- redress mechanisms - redress available in relation to staffing and recruitment decisions (appeals and investigations);
- training and development - training to enable better performance in current functions and development to prepare for career progression; and
- collective bargaining - activities which support the collective bargaining process including conciliation/arbitration, certification, exclusions/designations, adjudication of grievances, and research on compensation.

Other personnel-related activities, such as classification, compensation, official languages, conditions of employment and affirmative action were not within or were dropped from the team's mandate. However, because of the integrated nature of the personnel function, the team examined the programs under review within the broader context of the personnel management system as a whole.

ENVIRONMENT

A number of major studies on personnel management matters have been conducted in recent years. Of particular note are: Employer-Employee Relations in the Public Service of Canada (Finkelman), 1974; the Royal Commission on Financial Management and Accountability (Lambert), 1979; and, the Report of the Special Committee on the Review of Personnel Management and the Merit Principle (D'Avignon),

1979. Few of the recommendations made in the latter two reports have been implemented.

The public service is the largest single employer in Canada with 224,000 employees appointed under the authority of the Public Service Employment Act, employed in some 68 federal departments or agencies and in approximately 100 different occupational groups or sub-groups. Employees are divided into 70 bargaining units (excluding management personnel) represented by 11 bargaining agents. Some bargaining units are found in only one department (air traffic controllers, for example) while others are found in virtually every department (clerks, for example). The magnitude and scope of the services being delivered makes the public service environment very complex.

There are major differences between the public service personnel environment and that of the private sector. public service employment must be, and be seen to be, open to all Canadians. Personnel decisions made must not only be efficient and effective, but they must also be visible and verifiable. The processes used must allow for and document equality of access, fairness and objectivity and protection against partisan considerations. In addition, the staffing system must satisfy a variety of objectives which may be subject to changing government priorities: the placement of employees entitled to a priority for appointment as a result of impending lay-off or for other reasons; the need for the Public Service to be representative of the public it serves and thus reflect the regional and language group distributions of the country, and the need to support affirmative action principles with respect to women, indigenous and handicapped persons.

In 1984, there were 84,000 "appointments" to or within the public service: 35,000 reappointments of temporary employees, 20,000 promotions; 16,000 transfers at the same level; 11,000 appointments of new public servants, 2,000 voluntary downward transfers, and three demotions for incompetence or incapacity.

There were 18,000 "separations" from the public service in 1984: 7,000 were resignations; 5,200 were retirements; 4,700 were end of specified periods; 524 were deaths; 252 persons were rejected on probation; 97 abandonded their positions; 82 were released for reasons of incapacity or incompetence; and, 62 were released for breach of discipline or misconduct.

Responsibility for the personnel-related functions of the public service is shared by the Treasury Board (as per the Financial Administration Act), the Public Service Commission (Public Service Employment Act), the Public Service Staff Relations Board (Public Service Staff Relations Act) and the Privy Council Office for Order-in-Council appointments.

Seven of the 10 programs under review are the responsibility of the Public Service Commission, either by statute or under delegation from the Treasury Board, and three are the responsibility of the Public Service Staff Relations Board. The Public Service Commission has exclusive authority to make appointments to and within the Public Service but about 98% of all operational staffing activity has been delegated to and is conducted by departments under policy direction from the Commission.

MAJOR FACTORS

In the view of the study team, the 10 particular program elements reviewed are, for the most part, well designed to play their assigned roles in the framework of the present federal human resourcing system. Most should be continued without essential change, although a number have been assigned more resources than are required and should be down-sized. These and other changes recommended are noted in the individual program assessments.

The main problems in the area are, however, much broader than the individual elements of the human resourcing system. They cannot be considered or dealt with one element at a time.

The major findings are:

- The staffing process is unduly slow and complex. The speed of personnel processes, particularly the staffing process and its related activities is a major concern among managers. It takes on average six months to fill a middle management position in the public service compared to perhaps 1-2 months for a comparable level in a typical private sector organization. While some delay must be expected as a result of the merit principle and its requirements and other government objectives, these requirements need not triple the time required to fill vacancies.

Much of the slowness in the staffing process can be attributed to the complexity of the system: there exists a myriad of policies, practices, procedures, interpretations, guidelines, rules etc. to be applied in varying degrees depending upon differing circumstances.

Much of this complexity, results from the existence of the current appeal system. While appeals against staffing decisions are relatively infrequent (10%) and directly delay the process by only 25-30 days when they do occur, the existence of the system has generated a "fear of appeals". This fear has led to an excessive documentation and steps in the staffing process to "prove" that everyone was fairly treated and that staffing was conducted "by the book". It is the multiplicity of protective steps, and the way they are carried out, which so greatly lengthens the staffing process.

- The level of resources required for personnel functions in the public service is high in comparison to other large employers.

  The high level of personnel resources (about 3 times as high, after allowance is made for occupational and language training) appears to result very largely from the complexity of the Public Service personnel system much of which is due to the environment and to the objectives that the Public Service must serve. Some of the complexity has been built into the system in response to the perceived need to avoid appeals.

  So long as the Public Service personnel system remains overly complex and time-consuming, a high level of resources will be required to manage it.

- There is a major question as to whether the federal system would function more or less smoothly and efficiently if public servants came under the Canada Labour Code, like other employees in federal jurisdiction.

  The Public Service unions are strongly in favour of placing the Public Service under the Canada Labour Code rather than the Public Service Staff

Relations Act. In their view, this would be beneficial to both management and labour. Such a move would extend the areas which are bargainable to include such things as job classification and staffing. That would, in the view of the unions, result in a healthier relationship, one in which union/management systems of grievance and dispute resolution could very largely take the place of the legislated appeal system which indirectly creates so much delay and provides so little satisfaction.

Without necessarily endorsing this view the Study Group feels that a serious review of the positive and negative consequences of such a change is warranted, particularly since the view of the Public Service Alliance of Canada was endorsed by the Prime Minister in the course of the last election campaign.

- Training and development resources must be directed at identified and planned human resource requirements for the present and the future.

  Training and development, to ensure that public servants possess the skills required to meet the present and future needs of the public service, appear to be generally not well planned by departments, sometimes unrelated to actual departmental needs, and often without specific departmental objectives.

REMEDIAL ACTION

The Public Service personnel system requires a more thorough review than the study team has been able to accomplish. Therefore the study team recommends to the Task Force that the government consider:

- Undertaking a global review of the federal personnel system with a view to reducing the complexity of the current system and the high level of personnel resources required to cope with it. Pending the results of this study, resource levels devoted to the personnel function should not be allowed to rise any further.
- Undertaking a major study to examine the question of movement of the Public Service to Canada Labour Code jurisdiction.

Priority should be given to making immediate improvements to the personnel system through administrative measures, regardless of any initiatives that might be taken as described below.

Specifically, the study team recommends to the Task Force that the government consider:

- accelerating the Public Service Commission approach of developing, in conjunction with departments, tailor-made staffing systems which meet departmental needs and reduce unnecessary complexities and time delays;
- placing greater emphasis on planning of staffing and training activities in relation to specific objectives and organizational needs;
- minimizing the negative impacts of the appeal system by:
  a. encouraging anticipatory staffing so that appeal rights are exercised long before the position is vacated.
  b. establishing disclosure processes whereby management and candidates discuss the reasons for staffing decisions;
  c. providing that no appeal be formally heard if the department concedes the appeal and withdraws the proposed appointment.

Selected legislative amendments are required over longer term to address a number of provisions which no longer meet the needs of the public service. Such amendments would stem from the results of the study referred to above. Among others:

1. lateral transfers should be made non-appealable as was the case until recently;
2. the Public Service Commission should provide direction to appeal boards as to what factors they will take into account in determining merit;
3. "unsatisfactory performance" should be added to the grounds for release.

RECRUITMENT PROGRAMS

Public Service Commission

OBJECTIVE

To identify, assess and process candidates and requests for employment from outside the Public Service to meet immediate or anticipated government requirements, or for inclusion in the "National Applicant Inventory System" to meet future needs.

AUTHORITY

Public Service Employment Act. - 1967.

RESOURCES ($ thousands)

	84-85	85-86
Salaries	1,844	1,906
O&M expenses	1,326	1,351
TOTAL	3,170	3,257
Person-Years	66.96	68.20

DESCRIPTION

Recruitment services are provided, depending upon the type of personnel being sought, by the Public Service Commission (PSC) or, under delegation from the PSC, the Canada Employment and Immigration Commission (CEIC) and several federal departments. The study team was not asked to examine those sources of recruitment outside the scope of the Public Service Employment Act: that is, temporary help agencies, personal service contracts or certain types of short term employment. These are, however, alternate sources of recruitment. Persons are generally recruited for indeterminate (continuing) positions or for term (temporary) positions. Three programs were reviewed by the Study Team.

Post-Secondary Recruitment Program: involves the recruitment of recent university and college graduates in demand disciplines to meet immediate needs or for inclusion in the National Applicant Inventory System (NAIS), a computerized job applicant bank, for future needs. An annual open competition is held on campuses in the autumn. In 1984, 946 graduates were appointed through the Program.

Two special activities of the Program, the Career-Oriented Summer Employment Program and the Co-operative Education Program were not reviewed by the Study Team. The Post-Secondary Recruitment Program requires 5.25 person-years and $219,641.

Foreign Service Officer Recruitment Program: in conjunction with the annual university campaigns, persons are recruited for foreign service officer developmental positions in the Department of External Affairs. The occupational streams covered are trade, international development, immigration and foreign affairs. The recruitment campaign is only run when required: for example, in 1984, 14 new officers were appointed as a result of the campaign held in 1982. Most of the work is conducted by External Affairs under delegated authority from the Public Service Commission. The foreign service recruitment campaign has been cancelled for 1985/86. Accordingly, only $2,704 are required to cover costs for some publications.

Recruitment: the Public Service Commission has exclusive authority for recruitment to the public service and services are provided to all federal departments through eight regional offices across Canada. Recruitment activities for the operational (trades) category across the country and for the administrative support (clerical, secretarial) category outside the National Capital Region have been delegated by the PSC to the Canada Employment and Immigration Commission which provides service directly to departments. In addition, nine federal departments have been delegated similar authority to recruit certain specialized occupational groups. These are: translation, law, agriculture, veterinary science, actuarial science, meteorology, defence science, nursing and air traffic control.

The recruitment activities of the Public Service Commission include: receipt and processing of applications from Canadians (171,559 received in 1984, exclusive of those received for the management category), screening of applications for inclusion in the National Applicant Inventory System (26,430 in 1984), referral of appropriate candidates to departments when required, follow-up on referrals and maintenance of the inventory. Approximately 11,000 appointments to the public service were made in 1984. The program requires 63.03 person-years and $3,034,493.

BENEFICIARIES

Persons seeking employment in the public service; federal departments requiring new employees.

OBSERVATIONS

Unlike major private sector employers, the public service does not have a corporate approach to recruiting. A variety of players (PSC, CEIC, several departments) are carrying out recruitment activities and each organization has its own approach, procedures and, even occasionally its own application forms. For prospective employees, the system can be confusing: there are different entry points depending upon the type of work being sought and sometimes 3 or 4 application forms, all requiring basically the same information, must be completed.

In the view of the study team there does not seem to be much sharing of information among the various players. Each recruitment system is discrete and is run independently. For example, one organization might identify a good candidate which it is unable to recruit immediately but information about the candidate is rarely provided to another organization which might be able to employ the candidate's skills. Banks of information exist in the various organizations and these systems are not cross-indexed or available to other organizations. As a result, federal departments do not have direct access to either the PSC or CEIC data and must rely on officials of these agencies to interpret their employment requests.

Temporary help agencies (usually for secretarial services) and personal service contracts (for consultants) are alternate sources of recruitment which exist outside the merit system and the person-year control system. While the review team did not attempt to determine the extent of usage of these sources, it is believed to be quite large, particularly in the National Capital Region.

ASSESSMENT

The study team believes that the lack of a corporate approach to recruitment by the public service results in a poor quality of service to the public who must find the system confusing and frustrating, good candidates being "missed" because their services are not immediately required, some duplication in the processing of applications and a lack of image for the federal government as an employer.

There should be a more coordinated approach to recruiting under a federal public service logo and with one application form. The federal department recruiting specialized occupations both on and off campus should continue to be involved in the identification and interviewing of candidates, but prospective candidates should not be forced to face a bewildering array of different jobs and different recruiters. Indeed, a candidate should have to complete only one application form rather than 3 or 4, and referral to the appropriate recruiting organization(s) should be managed internally. Canadidates should be able to apply at any CEIC or PSC office across Canada.

A tremendous amount of information about prospective employees is being collected but is not being used as efficiently and effectively as it could be due to a lack of coordination or integration of various systems.

Departments are by-passing traditional sources of recruitment by using temporary help agencies and personal service contracts. Concern is expressed over the money being spent on these sources when, particularly in relation to the latter, resources may already exist within the public service.

Given that there is a need for short term help to meet unanticipated demands in departments, the question of a temporary help service within the public service (National Capital Region) should be re-examined. A pool of indeterminate employees could be established within the Public Service Commission with employees referred to departments when required.

The extent and usage of personel service contracts should be examined and effective control systems put in place if necessary, particularly to ensure that resources already employed in the public service are not being overlooked.

OPTIONS

The study team recommends to the Task Force that the government consider improving its recruitment program by:

a. Establishing a single, coordinated recruiting system with one application form, available at all CEIC and PSC offices.

b. Establishing a pool of qualified temporary workers within the National Capital Region, to replace the expensive temporary help services.

c. Reviewing the use of personal service contracts to ensure that they are not being used to circumvent staff complement controls.

MANAGEMENT CATEGORY RESOURCING PROGRAM

DESCRIPTION

To develop, operate and administer a comprehensive and integrated personnel process for the management category of the federal public service by providing staffing, counselling and support for appointments which result from the planned movement of senior managers.

The two occupational groups in the category are Senior Management (2,023 SM's in 1984) and Executive (2,258 EX's in 1984). The Public Service Commission is responsible for selecting and appointing candidates from outside the public service, for appointing public servants to the ,anagement category, for their promotion or demotion, and for their movement from one department to another. Deputy heads have been delegated authority by the Commission to make intradepartmental appointments or reassignments of category members where there is no change in occupational group or level (i.e. transfers). Overall responsibility for the management category is shared with the Treasury Board Secretariat upon the advice and recommendations of the Committee of Senior Officials (C.O.S.O.).

The program, with 52.5 person-years, will utilize $2.8 million in 1985/86.

ASSESSMENT

Staffing activities for the management category are conducted under the authority of an exclusion approval order which permits rapid redeployment and removes the statutory right of appeal for certain category members. The Public Service Commission co-ordinates staffing for the category and this activity is generally well planned. As a result, staffing can be conducted much faster and no less effectively than staffing conducted under the full authority of the Public Service Employment Act. This results from an exclusion from certain provisions of the Public Service Employment Act and an ability and willingness to plan redeployments as much as possible.

If the management category is to continue to be considered a corporate resource, then a corporate overview and centralized management of the resources is required.

OPTIONS

The study team recommends to the Task Force that the government maintain this program without change.

LEGISLATION/POLICY INTERPRETATION/AND ADVICE
Public Service Commission

OBJECTIVE

To provide interpretations, advice and assistance to Members of Parliament, unions, members of the public, public servants on staffing and official languages policy matters.

AUTHORITY

Public Service Employment Act - 1967.

RESOURCES ($000)

	83/84	84/85	85/86
Salaries & Wages	623	633	686
Other O&M Expenses	119	76	120
TOTAL	742	709	806
Person-Years Total	16	16	19

PROGRAM DESCRIPTION

These functions are important to the staffing community and to the Public Service Commission as a central agency.

Activities include interpretation and assistance on legislative requirements, policies or guidelines, preparation of executive correspondence and briefing notes, responses to telephone enquiries, preparation for Commission appearances at various parliamentary committees, provision of training to staffing officers and operation of a staffing resource center for access by all groups involved with or interested in the staffing process. Services are delivered through six regional offices and centrally in Ottawa. Contacts are made in person, by telephone or in writing, through consultations or representations on committees.

The program is closely linked to another part of the Staffing Policy and Program Development Directorate: staffing and official languages policy development and communications.

BENEFICIARIES

- departments,
- Members of Parliament,

- unions,
- public servants.

DEPARTMENTAL ASSESSMENT

This program is part of on-going operations and is assessed through periodic management reviews.

OBSERVATIONS

This program is part of the Commission's parliamentary mandate under the Public Service Employment Act. Departments are assisted in resolving day-to-day operational problems based on consistent explanations regarding the intent of the legislation. The exchange of information may bring further clarification or amendments to policies, processes, procedures or other areas of concern to departments.

A central resource center reduces the time departments are required to spend in researching any particular staffing topic. This unit was transferred under this program from another branch of the Commission. This accounts for the 3.5 person-year increase in 1985-86.

ASSESSMENT

In the view of the study team this program is essential to the Public Service Commission in its capacity as one of the major players in the Public Service personnel policy decision-making process.

Since the program is providing an essential service, the functions need to be maintained. During the course of the review team's work, the functions of this program were integrated with other Commission activities (such as program monitoring and review) to improve efficiency and operational effectiveness. The review team concurs with this change.

STAFFING REDRESS MECHANISMS

Public Service Commission

OBJECTIVE

To provide a visible system of redress for applicants for public service employment and for public servants for decisions relating to recruitment, staffing and releases for reasons of incompetence or incapacity; and, to investigate and resolve complaints of contraventions of the Public Service Employment Act.

AUTHORITY

Public Service Employment Act (PSEA) - 1967.

RESOURCES ($000)

	84/85	85/86
Salaries	2,946	2,971
Other O&M	597	538
TOTAL	3,543	3,509
Person-Years	73	75

DESCRIPTION

The study team reviewed four programs all of which are located within the Appeals and Investigations Branch of the Public Service Commission. The Programs are: Anti-Discrimination/Ombudsman and Staffing Investigations; Appeals and Appeals/Redress Information. For the purposes of this paper, the first two and last two programs are dealt with separately.

Complaints submitted by applicants for employment in the public service are dealt with by the first two programs (Investigations). Appeals from public servants are dealt with by the last two programs (Appeals).

Investigations - Anti-Discrimination

The Programs conduct investigations into complaints of alleged contraventions of the Public Service Employment Act, except when relating to appointments within the Public

Service (e.g. equal chance allegedly denied), or unfair practices (e.g. personal harassment) or grounds of discrimination (e.g. sexual orientation, political preferences) not included in the Canadian Human Rights Act. (The two Programs have recently been combined into the Investigations Directorate and the Canadian Human Rights Commission has taken over some of the responsibilities previously carried out under the Anti-Discrimination Program. There has been a corresponding shift of resources to the CHRC.)

From January 1 to August 31, 1985, 901 complaints were received and 339 investigations were started. Approximately one-third of these relate to recruitment from outside the public service. Investigations have been started for about 40% of complaints so far in 1985. This compares to 50% in 1984. Greater effort is now being put into resolving complaints before a full-scale, time-consuming and complicated investigation is started.

Program officers are occasionally called in by departments to provide independent investigative services when circumstances so warrant.

The program utilizes 37 person-years and $1,567,000.

Appeals-Appeals/Redress Information

The Public Service Employment Act (PSEA) provides a right of appeal to public service employees against alleged breaches of the Act in relation to appointments from within the public service or in relation to recommendations for release or demotion because of incompetence or incapacity. The Public Service Commission must establish an independent Board to hear such appeals and the decisions of the Board are binding, and may only be set aside by the Federal Court of Appeal. Appeal Board chairpersons are indeterminate employees of the Commission.

The number of appeals allowed is relatively small in comparison to the amount of staffing activity but the existence of appeals is a constant "threat" that is felt out of proportion. Indeed, in 1984, there were approximately 15,000 appealable selection processes: that is, where the right of appeal was applicable. Fifteen hundred of these (10%) were appealed by 2,400 appellants. About one-third of these were withdrawn before they reached the hearing stage. The appeals were allowed in only 220 cases.

In 1984, 1,000 appeal hearings were conducted throughout the country requiring 1,245 hearing days and resulting in 1,181 decisions (one hearing may result in more than one decision if there was more than one appellant with different grounds for appealing). There were 17 Appeal Board chairpersons in 1984, each conducting, on average, 57 hearings and rendering 67 decisions during the year. A review of performance measurement statistics suggests that a high level of productivity is being achieved.

Other activities of the programs include processing of appeal documents and scheduling of hearings, and training, advice and assistance to departments, employees and unions.

The Programs utilize 48 person years and $1,942,000.

BENEFICIARIES

Persons seeking redress. Departments and agencies of the Public Service. Members of Parliament on behalf of their constituents.

DEPARTMENTAL EVALUATION

An internal audit concluded in 1981 that the programs of the Appeals and Investigations Branch of the PSC were meeting their primary objectives of providing redress to employees of the Public Service who wish to appeal the results of a competition or to lodge a complaint against certain management actions.

OBSERVATIONS

While there have been some complaints about the investigative function, in particular its slowness, its existence would appear to be a reasonable check in the system for those staffing-related matters with no other avenue of redress. Overlaps with the Canadian Human Rights Commission are now being eliminated.

The appeal system which purports to provide redress against inappropriate staffing decisions, does not in fact provide any actual redress. The Appeal Board does not substitute its judgement on the relative merits of candidates for the judgement reached by a selection board but, rather, examines the processes that the selection board used in making its decision and determines whether these processes were reasonable, fair and equitable. The ultimate test is (or should be) whether or not merit was applied. If merit was not properly applied, the results of the competition are nullified. Thus, the "redress" for a successful appellant is the satisfaction that he or she has "won" and, generally, the opportunity to compete again.

Although the appeal system provides only an after-the-fact review of the selection decision and is in itself beneficial, the very existence of the system appears to colour the entire staffing process. A "fear of appeals" has led to excessive documentation and steps in the staffing process to "prove" that everyone was fairly treated and that everything was done "by the book". This atmosphere contributes substantially to the length and inflexibility of the staffing process and obviously, its costs.

Appeal boards are, by statute, independent. They determine their own jurisdiction to hear cases and their decisions are binding upon the Commission. There is some concern expressed that appeal boards do not always abide by the definition of merit that the Public Service Commission itself has exclusive authority to determine.

ASSESSMENT

In the view of the study team, a visible and impartial redress mechanism is essential to the effective conduct of staffing activities in the public service, in particular, to ensure that the merit principle is being applied.

The capacity to investigate staffing-related complaints is necessary and the function should be maintained.

Although the appeal process itself is efficient, generally adding only 4-5 weeks to staffing time (and only in the 10% of cases which are appealed), the existence of this type of appeal mechanism clearly adds two to three months to staffing time and adds considerably to the workload of personnel specialists and managers. Open competitions (to recruit from outside the Public Service) and competitions in the Senior Management and Executive groups are not generally subject to appeal. They take an average of two months, or slightly more, to conduct compared to appealable competitions which take, on average, five months to conduct.

This result arises because the appeal process has engendered the widespread use of defensive staffing techniques in departments -- extremely careful, meticulous, slow and resources-consuming with documentation of every step. The use of these techniques has relatively little to do with finding the person who can best do the job; it has a great deal to do with ensuring that the process employed will withstand the scrutiny of an appeal.

The study team believes that administrative measures could be employed to reduce the impact of appeals on staffing. For example, some steps and documents could be eliminated but this will require training and communication to personnel officers and managers. Similarly, some departments have instituted informal disclosure systems whereby candidates and management discuss competition results. There is some evidence to suggest that this can lead to a reduction in formal appeals.

The number of appeals may rise in the future due to a recent Federal Court decision regarding transfers. This will result in added pressure on the staffing system and additional requests for personnel officers and cause managers to retreat even further from assuming a much needed managerial control function over the staffing process.

Under the present legislation, the Public Service Commission is unable to direct appeal boards as to what factors must be considered in determining whether merit has been applied in a particular competition. This has resulted in appeal board decisions which tend to focus on the staffing process and whether it was conducted "by the book" rather than on the more important question of whether or not merit was applied.

Releases may only be undertaken when incompetence or incapacity can be proved. This is extremely difficult to do and may in fact take years to establish. Adding the grounds of "unsatisfactory performance" would permit managers to release employees who are clearly unable to do the job. A redress mechanism would still be required.

The unions feel that both they and management would be better served if public servants came under the Canada Labour Code, and if the basis for promotions, in particular, were bargainable (merit and seniority).

The study team has recommended in the paper titled "Staff Relations Administration" that a major study be undertaken to examine the pros and cons of moving the Public service under Canada Labour Code jurisdiction. No doubt the question of redress for staffing (appeals and investigations) will be looked at within the context of this study. If, for example, the public service moves to the Canada Labour Code, staffing and the rules for staffing and redress could become subject to bargaining.

OPTIONS

The study team recommends to the Task Force that the government consider:

a. Commissioning a major study to examine the movement of the Public Service to Canada Labour Code jurisdiction (as discussed in Section on "Staff Relations Administration"). Staffing redress mechanisms would be examined in the context of that study.

b. Accelerating administrative reforms on legislative amendments to the Public Service Employment Act to minimize the negative impacts of the appeal system by:

   1. encouraging anticipatory staffing (i.e. staffing conducted in advance of anticipated vacancies) so that if an appeal is lodged, any resulting actions can be taken before a position is actually vacant;

   2. establishing disclosure processes whereby management and candidates discuss the reasons for staffing decisions since there is evidence to suggest that such processes can lead to a reduction in appeals;

   3. providing that no appeal be formally heard if the department concedes the appeal and withdraws a proposed appointment;

   4. making transfers non-appealable as was the case until recently;

   5. allowing the Public Service Commission to provide direction to appeal boards as to what factors they shall take into account in determining merit; and

   6. adding "unsatisfactory performance" to the grounds for release.

STAFF DEVELOPMENT AND TRAINING

Public Service Commission

OBJECTIVE

To provide executive, managerial, supervisory and professional training; and to provide advice and information related to training.

AUTHORITY

Delegated to PSC by TB. Funds handled by Staff Development Branch in accordance with policies and guidelines established by T.B. and direction from Staff Training Council.

RESOURCES ($000)	**83/84**	**84/85**	**85/86**	**86/87**
Salaries & Wages	6,590	7,450	8,312	8,500
O&M Acco.	1,253	1,184	2,456	2,482
Other	3,157	3,582	3,288	3,689
TOTALS	11,000	12,216	14,056	14,671
Person-Years	185	189	200	200

PROGRAM DESCRIPTION

The Staff Development Branch provides executive, managerial, supervisory and professional training and related services to federal public servants across Canada in response to Treasury Board policies and departmental demand. It provides course and training events designed to meet the job-related training requirements of departments, and a range of advisory, informational and co-ordinating services relating to training.

Course are provided in the National Capital Region at federal government training facilities and in other cities when cost effective. Offices in Halifax, Montreal, Toronto, Winnipeg, Edmonton and Vancouver.

BENEFICIARIES

Federal government departments and employees.

DEPARTMENTAL EVALUATION

In 1985, the Public Service Commission conducted a productivity analysis related to the re-organization of the Staff Development Branch. The resultant study indicated the major improvements between 1979-80 and 1984-85 to be:

a. cost reduction in all areas;
b. efficiency of course delivery enhanced by 44%;
c. reduction of overhead costs per unit of output from $106 to $56.

OBSERVATIONS

Training programs and courses are conducted centrally based on needs identified by the Treasury Board and the demand and requirements of departments and agencies. Programs operate on a cost-recovery basis.

Experienced public service subject matter experts are utilized as instructors and tutors to ensure orientation to government operation.

Staff has been reduced form 350 in 1979 to 190-200 in 1985.

In 1983-84, there were 11,000 participants and 65,000 participant days.

103 programs have been developed and are conducted on a basis of an Instructor Manual and Student Manual. All manuals are updated yearly and revised every five years.

Except for AMD, EX and SM courses, all other programs are non-compulsory. The program features a money-back guarantee. Five courses have been reimbursed in five years.

Program development takes place on the following basis:

Occupational Analysis
Identification of Tasks and Task Clusters
Identification of Performance Requirements and Standards
Training Objectives
Enabling Objectives (Skill and Knowledge)
Training Approach
Identification of Evaluation Tools

ASSESSMENT

In the view of the study team this program is:

- Cost-efficient.
- Effective in program delivery when measured against the objectives set using the Systems Approach to Training.

Overall effectiveness impossible to assess, given lack of an overall corporate plan.

This activity is clearly an employer function.

OPTIONS

The study team recommends to the Task Force that the government integrate this program into a comprehensive corporate human resource development strategy as outlined in review of Interchange Canada.

CAREER ASSIGNMENT PROGRAM
Public Service Commission

OBJECTIVE

To identify and develop individuals with senior management potential, through training, counselling and work assignments.

AUTHORITY

Administered by PSC on behalf of T.B.

RESOURCES ($000)	**83-84**	**84-85**	**85-86**
Salary and Wages	725	473	478
Other O&M	449	433	521
TOTAL	1,174	906	999
Person-Years	19	14	13

PROGRAM DESCRIPTION

The Career Assignment Program (CAP) is a management development program targeted at middle management levels. It is available to departments as a tool for achieving objectives related to affirmative action;

central administration of programs offered in NCR;

pilot Western CAP administered from Edmonton;

occasional participation by organizations outside federal jurisdiction;

also offers courses in special development programs in Quebec City, U.K., and France.

The Career Assignment Program consists of:

a. nomination to the program by sponsoring organization;
b. three-day intensive assessment at Assessment Centre;
c. nine-week training program at the Centre for Executive development;
d. two or three assignments of 12-24 months, combined with on-going career counselling and occasional seminars.

BENEFICIARIES

Approximately 100 federal government employees enter the program each year.

DEPARTMENTAL EVALUATION

Internal operational audit in 1983, limited to issues arising from internal procedural weaknesses and all of which have been addressed.

OBSERVATIONS

Approximately 60% of former CAP participants have reached SM/EX. (593 of 999).

Participants enter at SM minus three level and graduate at SM minus one level. Must have departmental sponsorship and pass assessment conducted by the Assessment Centre. (40-50% pass assessment).

Program is five years in length and combines training with placements inside and outside of government.

Approximately 175 participants at the present time.

Western CAP is a pilot and represents the leading edge of a serious attempt to regionalize the program.

CAP no longer does its own training and this is reflected in the person-year and salary drop after 1983-84. It now purchases training services from the Staff Training and Development Branch.

ASSESSMENT

In the view of the study team:

- CAP appears to be meeting its stated objectives.
- Movement toward decentralization should continue. This is normally an employer function.

OPTIONS

The study team recommends to the Task Force that the government consider integrating this program into a comprehensive corporate human resource development strategy as outlined in review of Interchange Canada.

INTERCHANGE CANADA
Public Service Commission

OBJECTIVES

To improve understanding among the various sectors of the Canadian economy of the difference in perspectives, problems, interests and work methods of government, business, academic institutions, non-profit and voluntary organizations.

To provide participating organizations with special expertise on a temporary basis.

To allow for the acquisition and exercise of new managerial skills in a different setting.

To develop a spirit of cooperation and to instill confidence between executives inside and outside the Public Service.

AUTHORITY

Delegated to Public Service Commission by Treasury Board.

RESOURCES ($000)	**82/83**	**83/84**	**84/85**	**85/86**
Salaries & Wages	258	277	362	335
Other O&M	68	61	86	73
TOTALS	326	338	448	408
Person-Years	8	8	8	10

DESCRIPTION

Interchange Canada provides career opportunities on a temporary assignment - interchange basis between sectors of the Canadian community and the federal Public Service; it provides a one-week orientation course for participants from outside the Public Service;

Interchange Canada is responsible for promotion of the program, coordination of all activities related to application and assignment, and for negotiation of Interchange Canada Agreement between parties to the exchange; for regular advice and counselling of participants; and, for monitoring and follow-up.

All operations are centralized in the NCR.

BENEFICIARIES

Approximately 100 persons enter the program each year.

Participating federal government departments and agencies, business institutions, voluntary and non-profit organizations, universities and other governmental bodies.

DEPARTMENTAL EVALUATION

In 1983, an internal operational audit found the program to be generally well administered.

The Public Service Commission recently undertook a program evaluation of the program.

A July 1983 Conference Board study concluded that the program can contribute to easing tensions between business and government insofar as conflict arises from a misunderstanding of the pressures, goals and motives facing executives in the other sector.

Treasury Board Canada has recently completed a major review of the Interchange Canada program policy.

OBSERVATIONS

Approximately 50% of current interchanges with business; 50% with other governments, universities and non-profit organizations.

More than 1/2 of "business" participation comes from "professional" firms (attorneys, accountants, etc.).

Currently 60% of interchange is into Public Service from outside, 40% the other way.

175-200 active participants at any point in time. Approximately 100 come into/go out of program each year. Currently, 104 into government from outside and 75 federal employees into private sector. Currently, 25 management category people are on the program (16 Exec, 9 SM).

While originally intended to broaden executive skills and improve relationships with the private sector, approximately 90% of placements are "employee-driven". Most of the remaining placements are departmentally initiated for resourcing purposes (mainly DREI, MOT, EMR).

The current plan is to add two additional PYs for the purpose of doubling management category participation from 25 to 50. Will involve a high-profile campaign, a new advisory committee made up of deputy heads and chief executive officers, and integration of the one-week orientation program with the ADM course. This approach is based on a decision to accept the current "employee-driven" modus operendi for most placements and focus on the management category.

Solid re-entry guarantees do not exist. Identification of challenging placements within government is posing difficulties, especially in a down-sizing period.

Joint marketing and promotion with Career Assignment Program (CAP).

Of 90 Interchange participants surveyed in 1981, 36% failed to return to their sponsoring organization.

Two orientation programs cost $50,000 yearly and orient only 30% of new participants.

Three parallel programs exist in other ministries.

ASSESSMENT

A 36% rate of failure to return would seem to indicate that many participants use the program as an avenue for career change, in spite of attempts by Interchange to keep this from happening.

In the view of the study team, the original objectives of this program have not been met, especially in terms of a planned strategy for broadening executive skills and improving management practices. The new approach accepts the failure of the past, incorporates it into standard practice, and calls for an expensive expansion tailored on a U.S. model which itself targets fewer "executive" placements than Interchange Canada.

The program clearly does not form part of a broader management development plan and operates without relationship to any internal resourcing strategy.

Coordination with similar programs, both inside and outside the Public Service Commission, is superficial - if not non-existent.

This is clearly an employer function.

OPTIONS

The study team recommends to the Task Force that the government consider:

a. reducing the size of the program to 40% of current PYs with a reduced O/M allocation - to process employee-driven interchanges on a leave-of-absence basis; and

b. integrating the program with other training, development, and human resourcing activities of the federal government on the basis of a comprehensive corporate human resource development strategy. (See also assessment on CAP and Staff Development and Training).

LABOUR-GOVERNMENT EMPLOYEE SECONDMENT PROGRAM
Labour Canada

OBJECTIVE

To improve communication and working relationships between the public service and organized labour.

AUTHORITY

Established by Cabinet decision on February 21, 1984 as three-year pilot ending in fiscal year 1986-87. The program is promoted, planned and administered by Labour Canada with assistance of the Public Service Commission.

RESOURCES ($000)	**84/85**	**85/86**
Salaries & Wages	70	72
Other O&M	10	10
Grants and Contributions	225	706
TOTAL	305	708
Person-Years	2	2

PROGRAM DESCRIPTION

Program facilitates the temporary assignment of public employees to labour organizations and vice versa;

Labour Canada promotes interest in the program; assists interested parties in preparing secondment proposals; develops criteria for proposal selection; selects successful proposals; concludes reimbursement arrangements, where required.

The program is administered by a secretariat at Labour Canada, with two people in it.

Contributions offset salary and benefit costs when other arrangements are prohibitive.

BENEFICIARIES

To-date, 16 labour organizations and federal departments as well as 16 individuals have benefitted from secondments.

DEPARTMENT EVALUATION

Complete evaluation is scheduled before completion of three-year pilot.

OBSERVATIONS

This is a very small pilot program, halfway through its life. Like Interchange Canada, it tends to be used as a resourcing mechanism by departments and a mobility mechanism by individuals. It is not, and probably cannot be, a "planned in advance" mechanism. Its cost per secondment is much higher than that of Interchange Canada, but its overall cost to the government is lower.

The pilot program was apparently carried out by Labour Canada rather than Interchange because:

a. Labour Canada had the requisite contacts with the labour movement.
b. The level of the exchange differs.
c. Effective participation of labour has been seen as requiring greater cash outlay by the government than is provided for by Interchange Canada. Specifically, the secondment program covers a major portion of the salaries received by participants.

The program is enthusiastically supported by the labour movement.

ASSESSMENT

It is too early to assess the program as it is only getting into full gear and only one participant has yet returned to their parent organization.

In the view of the study team, if program comes under the auspices of Interchange Canada in 1987, some adjustments will be required - either within the program itself or in terms of the normal Interchange selection and funding criteria.

Recent shift in focus of Interchange Canada raises serious questions regarding its capacity to meet the objectives of this program.

OPTIONS

The study team recommends to the Task Force that the government assess the program upon completion of the current pilot project.

STAFF RELATIONS ADMINISTRATION
Public Service Staff Relations Board

OBJECTIVE

To administer the Public Service Staff Relations Act in a fair and equitable manner by acting as a neutral third party to facilitate the resolution of collective bargaining disputes and to adjudicate on unresolved grievances.

AUTHORITY

Public Service Staff Relations Act - 1967.

RESOURCES ($ 000)

	83/84	84/85	85/86
Salaries & Wages	3,338	3,847	4,040
Other O&M Expenses	919	1,235	1,417
Capital Expenses	18	38	49
TOTAL	4,275	5,120	5,506
Person-Years	80	96	97

PROGRAM DESCRIPTION

Two programs were reviewed by the study team:

a. Collective bargaining: The Board acts as a neutral third party to facilitate the resolution of collective bargaining disputes in the federal Public Service by providing conciliation, mediation and arbitration services.

b. PSSRB Adjudication and other Quasi-Judicial Proceedings: The Board adjudicates on unresolved grievances involving the application or interpretation of provisions of collective agreements and most types of disciplinary actions. It also deals with certification of bargaining agents, complaints of unfair labour practices, determination of managerial and confidential exclusions and designated workers in the event of strike action.

BENEFICIARIES

Public Service Employers (Treasury Board and separate Employers). Bargaining agents representing employees. Employees (grievances in cases of disciplinary action).

DEPARTMENTAL ASSESSMENT

Nil.

OBSERVATIONS

Public servants for whom the Treasury Board is the employer and some additional employees of separate employers are subject to the Public Service Staff Relations Act while other employees in the federal jurisdiction are subject to the Canada Labour Code. Generally, the Canada Labour Code provides for negotiation of more subject areas than the PSSRA: staffing, job classification, training, lay-off, for example.

There are differences of opinion, which can take a long time to resolve, between the parties to collective bargaining over the designation of managerial or confidential exclusions (that is, those persons exempted from membership in bargaining units as a result of their job duties) and over designated employees (that is, those employees who are prohibited from participating in strikes).

The backlog of grievances coming to adjudication, which resulted from the clerical strike in 1980 and holdover cases from the Post Office department, should be virtually disposed of by the end of fiscal year 1985-86. The increase in person-years from 1983/84 to 1984/85 resulted from the inclusion of departmental administration (personnel, finance, etc.) within the Staff Relations Administration budget.

The study team compared the workload of the PSSRB with that of the Canada Labour Relations Board (CLRB). Direct comparison is difficult, however, because the bulk of the PSSRB work relates to adjudication of grievances, a role which the CLRB does not have. Nor does the Canadian Labour Relations Board provide the conciliation and mediation services that the PSSRB provides. The PSSRB receives about 625 applications per year for various issues (e.g. certification of bargaining agents, complaints of unfair practices, managerial designations, etc.) of which about

80% (500) are for adjudications. The CLRB receives some 775 applications per year for issues similar to those noted above exclusive of adjudications. Yet, person-year and dollar allocations for the two Boards are similar (97 and $5.5 million for the PSSRB and 104 and $5.4 million for the CLRB). Additional statistics were not available from the PSSRB to permit the review team to determine the precise impact of the adjudication and mediation functions on the PSSRB workload; however, the review team is of the opinion that the workloads of the two boards are roughly similar.

The PSSRB is currently improving its performance measurement system to develop indicators regarding the efficiency and effectiveness of its operations and processes. This will permit better assessment of where savings and improvements can be made.

ASSESSMENT

As long as the right to collective bargaining for public servants exists, there will be a need for a neutral third party to facilitate the resolution of disputes. The Public Service Staff Relations Board fulfills this role and appears to be well respected and trusted by the various parties to collective bargaining.

The public service bargaining agents would prefer to come under the jurisdiction of the Canada Labour Code since a wider range of issues would be subject to negotiation. On the other hand, the Employer prefers to maintain the status quo since certain subjects remain entirely within the Employer's hands.

The study team examined the possibility of moving the public service to Canada Labour Code jurisdiction and determined that, because of the major impacts of such a move on the entire personnel management system of the public service, more time, effort and expertise is required to examine this question in detail.

OPTIONS

The study team recommends to the Task Force that the government consider maintaining the present legislative framework and structures but:

1. Reduce person-years to the 1983/84 level in 1986/87 (a reduction of 17 PYs), given that the backlog and its associated administrative costs will be eliminated.

2. Commission a major study to examine in detail the question of movement of the public service to Canada Labour Code jurisdiction and to make recommendations for action. The study should also examine and determine the steps that would have to be taken for a phased-in move to full Canada Labour Code status.

PAY RESEARCH BUREAU
Public Service Staff Relations Board

OBJECTIVE

To provide information to participants in collective bargaining in the public service on rates of pay and other conditions of employment in Canada. To collect and provide timely compensation data primarily to assist the parties to collective bargaining.

AUTHORITY

Public Service Staff Relations Act - 1967.

RESOURCES ($ 000)

	83/84	**84/85**	**85/86**
Salaries & Wages	3,481	3,167	3,380
Other O&M Expenses	728	736	796
Capital Expenses	6	-	-
TOTAL	4,215	3,903	4,176
Person-Years	92	77	77

PROGRAM DESCRIPTION

The Pay Research Bureau conducts research and carries out surveys on rates of pay, benefits and conditions of employment primarily as they relate to those units of employees in the public service to whom the system of collective bargaining established by the Public Service Staff Relations Act applies. The Bureau also engages in similar activities in respect of groups that are excluded from that process. It prepares reports containing the pertinent results and data of its research and surveys and distributes them to parties of interest both within and outside the Public Service as is appropriate and within its mandate.

BENEFICIARIES

Government negotiators in collective bargaining. Treasury Board as the Employer for excluded classes.

Bargaining agents representing employees in collective bargaining. Private sector and other public sector organizations for research purposes.

DEPARTMENTAL EVALUATION

A program evaluation of the Pay Research Bureau was conducted by Peat, Marwick and Partners in May 1984. In response, the PSSRB has developed and begun to implement an action plan to resolve some of the issues raised by the evaluation. The program evaluation did not address questions of efficiency or productivity, that is, whether the same outputs could be produced by fewer resources or, alternately, whether additional outputs could be produced by the same amount of resources.

OBSERVATIONS

Many of the surveys and reports prepared by the Pay Research Bureau are used extensively by the parties to collective bargaining in the Public Service. The parties are able to agree on some basic information and data thus shortening the actual time spent in negotiations. Some reports, however, appear to be "nice to know", i.e. for general interest, historical or academic purposes.

The PRB makes some use of data provided by Labour Canada and Statistics Canada. However, the PRB information is tailored to the needs of the parties to collective bargaining in the public service while that of the other agencies is more general in nature. There is little duplication of data collection, but the PRB does survey many of the same business organizations surveyed by other federal groups.

The Pay Research Bureau is, in comparison to other survey organizations, a rather top heavy organization. The positions and levels and salary ranges are as follows:

Director General	(EX5, 75,100-88,350)
Director of Operations	(EX3, 63,000-74,050)
Director Research Branch	(EX1, 53,210-62,530)
Two Division Managers	(SM, 50,350-59,220)
One Division Manager	(CS4, 42,842-51,206)
One Project Coordinator	(SI5, 37,614-41,274)
Two Project Leaders	(CS3, 37,343-43,190)
One Chief System Operations	(CS3, 37,343-43,190)

Three Operations Managers	(PE5, 37,000-51,800)
Twelve Project Coordinators	(PE4, 32,620-46,810)
One Training Manager	(PE4, 32,620-46,810)
Three Programmers	(CS2, 31,836-36,416)
Thirty-two Compensation Research Officers	(PE3, 29,000-41,700)
Four Technical Officers	(SI2, 28,332-30,903)
One Control Supervisor	(AS1, 24,824-28,745)
Two Technical Officers	(SI1, 23,503-27,024)
One Programmer	(CS1, 18,766-31,588)
Fifteen Support Staff Positions	

ASSESSMENT

The provision of mutually accepted basic wage data is a valuable and worthwhile service. Both parties to collective bargaining are satisfied with and supportive of the data provided and, consequently, the work being produced meets its purposes. In the view of the study team, two basic questions, however, remain:

a. is $4 million annually, or $2 million, or $8 million, the optimal investment?

b. is $4 million required to produce the data now produced?

Whatever the answer to question (a), the answer to question (b) is "no".

Each party has its own research group working on data and development of position papers in order to "fine tune" its strategy. At the same time, the PRB has a research unit (11 PYs) providing data to parties, conciliators, and arbitration tribunals. This service, if necessary, could be provided by the Operations Managers rather than by a separate research unit. In addition, a similar unit exists at Labour Canada.

The PRB has about 26 managerial or supervisory positions for a total person-year complement of 77 (84 positions). It is felt that carrying out surveys and wage studies should not require such a high ratio of managers to workers.

Taking these factors into consideration, it is the study team's opinion that it should be possible to produce the data now produced at considerably lower cost.

The possibility of contracting out the function at considerably lower cost has been considered by the study team. It is unlikely, however, that a private firm could have the same easy access to municipal, provincial and federal governments' job structures as this federal Bureau which is bound by secrecy and has traditionally been able to keep the information under strict confidentiality.

Compensation data, and labour data in general, are gathered, produced and disseminated in an unco-ordinated way. While at first glance the PRB and certain units of Labour Canada and Statistics Canada do not conduct overlapping or duplicating activities, they certainly administer functions that are similar in scope and complementary in terms of processing and producing. Their amalgamation under the same roof would rationalize federal labour information production and dissemination. Various different departments would not need to contact the same companies at different times to gather data. Both employers and unions would have one point of service for total federal labour information relevant to collective bargaining.

OPTIONS

The study team recommends to the Task Force that the government consider:

1. Maintaining the Pay Research Bureau within the Public Service Staff Relations Board subject to the abolition of the research branch (with transfer of essential tasks to Operations Managers) and half of the remaining 22 managerial and supervisory positions (for a total saving of 18 PYs). This will result in a saving of approximately one million dollars a year.

2. In the longer term and depending upon the results of the study mentioned in the paper titled "Staff Relations Administration": integrating the Pay Research Bureau into a "Bureau of Labor Information" in Labour Canada. This would include Collective Bargaining, the Industrial Relations Information Service, Library, Legislative Analysis and Research Unit and the Program Planning and Technical Support Unit. The Bureau would have a bi-partite advisory committee on the question of pay research.

RECORD OF CONSULTATION

LABOUR AFFAIRS SUB-TEAM

NAME	POSITION	ORGANIZATION	LOCATION
ALBERTINI, K.	Registrar	B.C. Labour Board Relations	Vancouver
AMRAM, M.	President	Fédération Nationale des communications	Montreal
ARCHAMBAULT, M.	Regional Director Operations Branch	Labour Canada	Montreal
ATTENBOROUGH, S.	National Representative Research & Legislation	CLC	Ottawa
BALDWIN, D.	Director, Employment Relations	Labour Canada	Ottawa
BALLANTYNE, R.		CNCP Telecommunications	Toronto
BARSOSKI, D.	Director, Personnel	Bank of Nova Scotia	Toronto
BARTENBACH, Mr.	Regional Director, Mediation & Conciliation	Labour Canada	Toronto
BAYER, F.	District Manager, Operations Branch	Labour Canada	Halifax
BERGERON, C.	Coordinateur de Services d'Organisation	CNTU	Montreal
BLAIN, Y.	Deputy Minister	Quebec Department of Labour	Montreal
BRADLEY, I.	Program Evaluator	Labour Canada	Ottawa
CHAMPION, D.	Industrial Relations	B.C. Telephone Co.	Vancouver
CICCOZZI, B.	Vice-President, Finance	Maritime Employers' Association	Vancouver
COLLINS, M.	Operations Branch	Labour Canada	Vancouver

LABOUR AFFAIRS SUB-TEAM

NAME	POSITION	ORGANIZATION	LOCATION
COLOSIMO, R.	Chairman	Federally-Regulated Employers Transportation & Communications	Montreal
DESMARAIS, L.	Extra-Departmental Affairs	Quebec Department of Labour	Montreal
DEVINE, D.		CLC	Toronto
DEYOUNG, J.	Conciliation Officer	Labour Canada	Halifax
DODD, B.	Director, Policy	Labour Canada	Vancouver
DORAIS, M.	Director General, Policy & Liaison	Labour Canada	Ottawa
DOUGLAS, R.	Director, Education & Research	Teamsters Union	Vancouver
DROUIN, A.	Conciliation Officer	Labour Canada	Montreal
EHRENWORTH, S.	Director, Public Affairs	Labour Canada	Ottawa
ENDICOTT, W.	Industrial Relations	Canadian Pacific Airlines	Vancouver
EWING, N.	Director General, Administrative Policy	Labour Canada	Ottawa
FORTIER, A.	Chairman, Labour Relations Comm.	Canadian Manufacturers' Association	Toronto
FORTIN, B.	Chief, Collective Bargaining Div.	Labour Canada	Ottawa
FOSTER, K.	Canadian Director	Amalgamated Transit Union	Toronto
GILBERT, Mr.	Manager, Administration	Ontario Department Of Labour	Toronto

LABOUR AFFAIRS SUB-TEAM

NAME	POSITION	ORGANIZATION	LOCATION
GILLIS, G.	Solicitor	Nova Scotia Department of Labour	Halifax
GILMORE, C.	Director, Conciliation /Mediation	B.C. Department of Labour	Vancouver
GROLEAU, C.	Avocat, Conseiller juridique de CSN	Confederation of National Trade Unions	Montreal
HORN, K.	Chief Executive Officer	Nova Scotia Labour Relations Board	Halifax
JOHNSTON, E.		CLC	Ottawa
KELLY, W.P.	Associate Deputy Minister	Labour Canada	Ottawa
KENNY, L.	Director, Industrial Relations Info.	Labour Canada	Ottawa
KIRBY, S.	Policy Analyst	Labour Canada	Ottawa
KIRVEN, R.	Conciliation Officer	Labour Canada	Halifax
LABERGE, L.	President	Quebec Federation of Labour	Montreal
LACE, C.		Sack, Charney & Goldblatt	Toronto
LAPOINTE, C.	Officer	Labour Canada	Montreal
LAPOINTE, M.	Chairman	Canada Labour Relations Board	Ottawa
LAREAU, S.	Chief, Quality of Working Life	Labour Canada	Ottawa
LASCELLES, M.	Program Evaluator	Labour Canada	Ottawa
LEGAULT, G.	Director, Operational Services	Canada Labour Relations Board	Ottawa

LABOUR AFFAIRS SUB-TEAM

NAME	POSITION	ORGANIZATION	LOCATION
LEVAC, R.	Commissaire Général du Travail	Quebec Department of Labour	Montreal
MACPHERSON, E.	Industrial Relations Advisor	Labour Canada	Ottawa
MCCAMBLY, J.	President	Canadian Federation of Labour	Ottawa
MCDERMOTT, M.	Director General, Mediation & Conciliation	Labour Canada	Ottawa
MCGARRY, R.	President	Letter Carriers Union of Canada	Ottawa
MCKNIGHT, G.	Sr. Program Development Officer	Labour Canada	Ottawa
MCLACHLIN, J.A.	Vice-President	Canada Labour Views	Toronto
MCLEOD, C.		Canadian Federation of Labour	Ottawa
MCQUEEN, J.	Deputy Minister	Labour Canada	Ottawa
MARCHAND, R.	Chief, Labour Education	Labour Canada	Ottawa
MASTERS, A.	President	Maritime Employers' Association	Montreal
MATHESON, W.		B.C. Business Council	Vancouver
MATTEE, R.	Regional Director	Labour Canada	Toronto
MELNIKOFF, M.		CLC	Vancouver
MERCIER, R.	Executive Vice-President	CLC	Ottawa
MITCHELL, M.	Director, Policy & Planning	B.C. Department of Labour	Vancouver

LABOUR AFFAIRS SUB-TEAM

NAME	POSITION	ORGANIZATION	LOCATION
MONETTE, R.	Lawyer	Ogilvie-Renaud	Montreal
MORIN, J.	Director, Contract Policy & Administration	Federal Department of Public Works	Ottawa
NASH, P.		Canadian Airline Employees' Association	Toronto
NEEDHAM, R.	Director, Administrative & Library Services	Labour Canada	Ottawa
NYKOLUK, J.	Senior ADM	Manitoba Department of Labour	Winnipeg
OGDEN, C.	Regional Director, Mediation & Conciliation	Labour Canada	Halifax
O'NIELL, D.	Director	B.C. Department of Labour	Vancouver
PEDNEAULT, A.	Director, Quebec Region	Canada Labour Relations Board	Montreal
POSNICK, D.	Education Coordinator	United Steel Workers	Vancouver
POUND, N.	Director, Mediation & Conciliation	Manitoba Department of Labour	Winnipeg
POVEY, M.	Industrial Relations	Westcoast Transmission	Vancouver
POWELL, E.	Special Projects Officer	Labour Canada	Ottawa
PROTTI, R.	Assistant Deputy Minister	Labour Canada	Ottawa
ROBINSON, D.	Officer	Canada Labour Relations Board	Montreal
ROSS, G.	Officer	Nova Scotia Labour Relations Board	Halifax

LABOUR AFFAIRS SUB-TEAM

NAME	POSITION	ORGANIZATION	LOCATION
RUEL, L.		CLC	Vancouver
SAUNDERS, T.		Canadian Airline Employees' Association	Toronto
SCOTT, Mr.	Director, Employment Standards	Ontario Department of Labour	Toronto
SCOTT, V.	National Coordinator of Education	Canadian Federation of Labour	Ottawa
SEGAL, G.	Labour Research Analyst	Manitoba Department of Labour	Winnipeg
SHULMAN, N.	Director, Policy & Strategic Analysis	Labour Canada	Ottawa
SMYTH, R.	Chief, Financial Services	Labour Canada	Ottawa
SOLLIS, R.	Director, Employment Standards	B.C. Department of Labour	Vancouver
SPARLING, H.	Assistant Director, Conciliation & Mediation	Ontario Department of Labour	Toronto
STANTON, J.	Regional Director	Canada Labour Relations Board	Toronto
STOODLEY, N.	National Director, Educational Services	CLC	Ottawa
THORNE, A.	Secretary Treasurer	Canadian Federation of Labour	Ottawa
TILANDER, L.		Labour Canada	Winnipeg
TOBIN, D.		CLC	Toronto
VALIQUETTE, M.	Director, Labour Data Branch	Labour Canada	Ottawa

LABOUR AFFAIRS SUB-TEAM

NAME	POSITION	ORGANIZATION	LOCATION
VALOIS, R.	Vice-President	CNTU	Montreal
VÈCES, P.	Executive Advisor	Quebec Government Intergovernmental Affairs	Montreal
VINES, J.	Officer	Canada Labour Relations Board	Dartmouth
WALDIE, K.	Consultant	Waldie, Brennan & Associates	Ottawa
WALL, F.	Education Director	International Woodworkers Assoc.	Vancouver
WHITEHOUSE, J.	Director, ILO Canada Branch Office	International Labour Organization	Ottawa

OCCUPATIONAL HEALTH AND SAFETY SUB-TEAM

NAME	POSITION	ORGANIZATION	LOCATION
ATHERLEY, Dr. G.	President	Can. Center OH&S	Hamilton
AVISON, D.	Administrator	Public Service Health (PSH) Regional Office	Halifax
AUGER, C.	Exec. Sec.	CNTU	Montreal
AUBIN, Mr.	Clerk	Civil Aviation Medicine	Ottawa
ANDERSON, C.	Director	CNCP Telecommunications	Vancouver
BUCHWALD, Dr. H.	Exec. Director	OHS Alberta	Calgary
BOUCHER, P.E.	Director	CSST	Quebec
BOURDAGES, R.	Asst. Director	CSST	Quebec
BEGIN, P.	Safety Officer	DOT	Montreal
BOUCHER, D.R.	Reg. Medical Officer	CAM	Toronto
BOUDREAULT, E.	Chief Safety	QFL	Montreal
BALDING, Dr. H.	Asst. V.P.	Research, University of Western Ontario	London
BRENNAN, H.	Manager	Air Traffic Cont. Assoc.	Ottawa
BUTT, S.C.	President	Air Traffic Cont. Assoc.	Ottawa
BRETT, Dr.	Physician	Elgin Clinic - NHW	Ottawa
BLACK, Dr.	Physician	Elgin Clinic - NHW	Ottawa
BUSHELL, S.	Safety Officer	Longshoremens' Union	Vancouver
BERLINGUETTE, Mr.	Director General	IRSST - Provincial Health	Montreal
BENNETT, D.	National BP & HS	CLC	Ottawa
BROADBENT, B.	Chief Exec. OHS Tech.	Labour Canada	Ottawa

OCCUPATIONAL HEALTH AND SAFETY SUB-TEAM

NAME	POSITION	ORGANIZATION	LOCATION
MCCAMBLY, J.	President	CF of L	Ottawa
COLLINS, G.	Head- Safety	Petro Canada	Calgary
CHOREEN, K.	Dir. General	Coast Guard	Halifax
COHRS, J.L.	Chief, Ship Division	Dept. of Fisheries	Halifax
COPLEY, D.	Regional Director	CAM	Vancouver
COBB, A.	Dir. General	Newfoundland EMR	St. Johns
CLEMENT, Dr.	RMO	CAM	Montreal
COOKE, F.S.	Administrator	OH Section - Ontario Ministry of Labour	Toronto
COCKSEDGE, S.	EHP	NHW	Ottawa
COOKE, S.	V.P. Hum. Res.	Canada Post Corp.	Ottawa
CORDECEDO, J.	1st Vice President	Longshoremens' Union	Vancouver
CICOCOZZI, B.D.	Exec. Sec.	Maritimes Employers	Vancouver
CAHAM, Mr.	Director	Maritimes Employers	Vancouver
COLISIMO, R.	V.P. Human Relations	CP Rail	Ottawa
DEWOLFE, M.G.	Coordinator	Fed. Economic Coordinator	Halifax
DYRA, S.	Asst. Director	Coast Guard	Halifax
DUNSTEN, H.A.	General Manager	Canada Post	Ottawa
DODGE, Dr.	Asst. Director	CAM	Ottawa
ENDICOTT, B.	Sen. Director	CP Air	Ottawa
ELLSWORTH, J.	Director	WCB Labour Canada	Ottawa
FLESHER, W.	Director	WCB	Vancouver

OCCUPATIONAL HEALTH AND SAFETY SUB-TEAM

NAME	POSITION	ORGANIZATION	LOCATION
FISHER, A.C.	Vice President	Air Traffic Cont. Union	Ottawa
FRASER, M.K.	President	Alliance Union	Ottawa
GROUTES, R.A.	Director General	Dept. Fisheries	Halifax
GOODMAN, B.	Director	OH & S Ont. Min. Lab.	Toronto
GRAHAM, R.	Director	DEVCO and WCB Insurance	Sydney
GUTHRIE, W.	Chief Prog. Div. OHS	Labour Canada	Ottawa
HAAKWSON, Dr. H.	Director - Occ. Health	Petro-Canada	Calgary
HORNE, T.	Director - Safety	Petro-Canada	Calgary
HICKS, Dr. D.	Director - Medical Services	NHW	Ottawa
HAYMAN, B.	Dir. of Administration	PSH	Halifax
HEDGES, B.	Director	Saltfish Corp.	St. John's
HARDING, K.	Exec. Director	WCB	Toronto
HELBERT, R.	Director	CNCP Telecommunications	Vancouver
HEBERT, L.	Asst. Director	CNCP Telecommunications	Vancouver
JACQUES, Mr.	Chief - Safety	Mtl. Port Corp.	Montreal
KAY, B.	ADM	Vancouver Department of Labour	Vancouver
KRIEGHER, E.	V.P. Adm.	Canada Post Corp	Ottawa
LANDON, B.	ADM	Labour	St. John's
LAROCHE, S.P.	V.P. Emp. Rel.	CN	Ottawa
LABERGE, L.	President	QFL	Ottawa
LEPTICK, T.	National Director	OHS Canada Post	Ottawa

OCCUPATIONAL HEALTH AND SAFETY SUB-TEAM

NAME	POSITION	ORGANIZATION	LOCATION
LEE, A.	Manager - Safety	Ontario Hydro	Toronto
LEGAULT, P.	Director - HS	Montreal Port Corp.	Montreal
L'HEUREUX, Mlle	Exec. Sec.	CSST	Montreal
MEYHEW, P.	OHS Coord.	Petro-Canada	Calgary
MCDONALD, G.	Nursing Ser. Coord.	Petro-Canada	Calgary
METJNER, T.	Dir. OHS N.S.	OSH Nova Scotia	Halifax
MACDONALD, Dr.	Chief Med. Officer	PSH - NHW	Halifax
MARTIN, R.	Vice President	CLC	Ottawa
MERCIER, R.	Vice President	CLC - H&S	Ottawa
MACLELLAN, J.	Director	OHS - Labour Canada	Ottawa
MAYNARD, E.	Director	WCB	Nfld.
MCGUERRIN, H.	R.N.	Treasury Board	Ottawa
MCELROY, M.	Consultant	OHN - NHW	Ottawa
MASTROMATTEO, Dr.	Professor OHS & Consult. OHS	University of Toronto	Toronto
MARTIN, Mr.	President	St. Thomas University	Fredericton
MASTER, E.A.	President	Maritime Employers Assoc.	Ottawa
MACLAREN, K.	Exec. Director	CTA	Ottawa
MACDONALD, H.	Dept. Minister	Department of Labour N.S.	Halifax
MCKNIGHT, G.	Dir. General	OHS	Ottawa
MCGARRY, R.	President	Union of Letter Carriers	Ottawa
NICHOLSON, D.	Ass. Dep. Min.	NHW	Ottawa

OCCUPATIONAL HEALTH AND SAFETY SUB-TEAM

NAME	POSITION	ORGANIZATION	LOCATION
NOEL, L. M.	Dist. Manager	Department of Labour	St. John's
NANTES, D.	Min. of Labour	Nova Scotia	Halifax
NUR, H.	Spec. Proj. Off.	OHS	Ottawa
O'LEARY, J.	Chief, Hygienist	Regional Office N.H.W.	Halifax
O'CONNEL, Hon. M.	Chairman of Board	CCOHS - CCN Centre	Hamilton
OGILVIE, R.	President	Ogilvie Consultants	Fredericton
OLIVER, A.	Chief Inspector	Mining - Labour Canada	Sydney
POTTER, W.	Dir. Gen. N.S.	COGLA	Halifax
PURSER, Dr. J.	Director	PSH	Ottawa
PALMER, G.	R.N. Programmer	Treasury Board	Ottawa
PRENTICE, E.A.	Res. Manager	B.C. Telephone	Ottawa
PILOTTE, G.	Analyst	Treasury Board	Ottawa
PIGHIN, A.	Chief, Tech. Serv.	OHS - Labour Canada	Ottawa
RILEY, J.	Director	COGLA	Halifax
ROY, L.	O.H.S.	Treasury Board	Ottawa
ROY, H.	Agent Gestion	Laval University	Quebec
RIDOUT, S.E.	Administrator	OH Marine	Toronto
ROBINSON, A.	Asst. Dep. Min.	Ontario Ministry of Labour	Toronto
RANCE, O.	President	Cape Breton Development Corp.	Sydney
SORENSON, M.	Asst. Director	CAM	Ottawa
SCOTT, B.	Dir. Ship Safety	Coast Guard	Halifax

OCCUPATIONAL HEALTH AND SAFETY SUB-TEAM

NAME	POSITION	ORGANIZATION	LOCATION
SHULMAN, N.	Director	TIRP	Ottawa
STEWARD, Dr.	M.O.	CAM	Ottawa
SULLIVAN, Dr. J.L.	Director	OHS	London
STEEVES, W.	Manager	Ontario Hydro	Toronto
SLAUGHTER, R.W.	Director	Canadian Aviation Safety Board	Ottawa
STEWARD, Dr.	RMO	CAM	Toronto
TUFF, I.	Legal Council	Workmmen's Compensation	Vancouver
TUCKER, Dr.	Asst. Director	PSH	Vancouver
TAKAHASHI, Dr.	Director	CAM	Ottawa
TACHEREAU, Mr. M.	Administrator	COGLA	Ottawa
TURCOTTE, N.	PSA	CANAM.	Montreal
TURNER, E.	Specialist	Workmen's Compensation Cape Breton Development Corp.	Sydney
VALBERG, Dr. L.S.	Dean of Medicine	University of Western Ont.	London
VINOLY, D.	President	CF of L	Vancouver
WILLIAM, H.	Health Advisory	NHW	Ottawa
WILSON, R.	Director	Ontario Hydro	Toronto
WHITFIELD, B.	Manager	OHS New Brunswick Commission	Fredericton

EQUAL OPPORTUNITIES FOR WOMEN SUB-TEAM

NAME	POSITION	ORGANIZATION	LOCATION
ANDERSON, D.	Member	National Action Committee on the Status of Women	Toronto
AVRIL, S.	Coordinator	Status of Women Action Group	Victoria
BLANCHARD, L.	Director - Women's Program	Secretary of State	Ottawa
BOYLE, M.	Vice President	Canadian Advisory Council on the Status of Women	Montreal
CAMPBELL, J.	Equal Pay	Labour Canada	Ottawa
CARR, G.	Women's Directorate	Province of Ontario	Toronto
COHEN, M.	Vice President	National Action Committee on the Status of Women	Toronto
COOPER, P.	Vice President	Canadian Advisory Council on the Status of Women	Calgary
COTÉ, M.	Director	Secretary of State	Montreal
CRAIG-HUTTON, D.	Field Representative	Secretary of State	Calgary
ELLIS-GRUNFELD, R.	Chairperson	Manitoba Advisory Council on the Status of Women	Winnipeg
FEIST, M.	Senior Associate	Mansis Development Corp.	Winnipeg
FRASER, J.	Director, Career Development	University of British Columbia	Vancouver
GALLANT, L.	National Representative	Women's Bureau - Canadian Labour Congress	Ottawa
GELLER-SCHWARTZ, L.	Director General	Women's Bureau - Labour Canada	Ottawa
GIRARD, L.		Association féminine d'éducation et d'action sociale	Montreal

EQUAL OPPORTUNITIES FOR WOMEN SUB-TEAM

NAME	POSITION	ORGANIZATION	LOCATION
GOLD, S.	President	Canadian Advisory Council on the Status of Women	Ottawa
GOODSPEED, L.	Social Development Officer	Secretary of State	Winnipeg
HOSEK, C.	President	National Action Committee on the Status of Women	Toronto
IRONSIDE, A.	President	Canadian Association for Adult Education	Toronto
LEGAL, R.	Local Office	Canadian Advisory Council on the Status of Women	Winnipeg
LINZEY, J.	Chief	Women's Program - Secretary of State	Ottawa
MCLEAN, E.	Director - Women's Programs	Province of British Columbia	Victoria
MELVILLE, J.	Coordinator	Canadian Society for Women in Science & Technology	Vancouver
O'NEILL, M.	Coordinator	Status of Women Canada	Ottawa
SIEBOLD, L.	Executive Coordinator	Women's Secretariat Government of Saskatchewan	Regina
SERO, K.	Analyst	Treasury Board of Canada	Ottawa
SMITH, M.	Pay Equity	Manitoba Department of Labour	Winnipeg
SOONG, C.	Field Representative	Secretary of State	Vancouver
SUEK, B.	Commissioner	Civil Service Commission Board	Winnipeg
VOGAN, J.	Senior Analyst Fed/ Prov. Relations	Government of Manitoba	Winnipeg
WASYLYCIA-LEIS, J.	Acting Director	Manitoba Women's Directorate	Winnipeg

EQUAL OPPORTUNITIES FOR WOMEN SUB-TEAM

NAME	POSITION	ORGANIZATION	LOCATION
WOODROW, M.	Special Asst. to the Minister	Minister Responsible for the Status of Women	Ottawa
WYNN, S.	Director	Alberta Women's Secretariat	Edmonton

IMMIGRATION AND CITIZENSHIP SUB-TEAM

NAME	POSITION	ORGANIZATION	LOCATION
ABRAMS, H.	National Executive Director	Jewish Immigrant Aid Services of Canada	Montreal
ADAMSON, R.	Lawyer	Central Toronto Community Legal Clinic	Toronto
ARMSTRONG, R.	Lawyer	York Community Legal Services	Toronto
BEAUPRE, B.	A/Director, Settlement	EIC	Ottawa
BELL, K.	Director-General Policy and Program Development	EIC	Ottawa
BEST, C.	Executive Director Immigration	EIC	Ottawa
BETTRIDGE, K.	Manager	Canada Immigration Centre	Edmonton
BOURGAULT, L.	Director-General Training	EIC	Ottawa
BRAZEAU, G.	Adjoint à la déléguée conseiller principal	Bureau de Québec	Ottawa
BURSTEIN, M.	Director, Data Analysis and Forecasts	EIC	Ottawa
CAMPBELL, C.	Ex-Vice Chairman	Immigration Appeal Board	Vancouver
CAMPBELL, J.	Director, Enforcement	EIC, Ontario Region	Toronto
CARRICK, J.	Manager, Selective Placement	Ministry of Trade, Government of Ontario	Toronto
CONN, D.	Director-General of Immigration	EIC, Ontario Region	Toronto
CORBETT, D.	Director, Entrepreneur Selection	Government of Alberta	Edmonton
CORNEIL, J.	Executive Director	Alberta Department of Intergovernmental Affairs	Edmonton

IMMIGRATION AND CITIZENSHIP SUB-TEAM

NAME	**POSITION**	**ORGANIZATION**	**LOCATION**
CULLEN, N.	Director Program Development	EIC	Ottawa
DICERNI, R.	Asst. Undersecretary of State, Corporate Policy	Secretary of State	Ottawa
DONAGHER, E.	Director-General, Operations	EIC	Ottawa
DUBOIS, L.	Director, Adjudication	EIC	Ottawa
EBBANS, D.	Manager, Immigrant Reception Centre	EIC	Vancouver
FALARDEAU-RAMSEY, Mrs.	Chairman	Immigration Appeal Board	Ottawa
FRENCH, A.	Chief, Settlement CIC Vancouver	EIC	Vancouver
GIRARD, R.	Director, Refugee Affairs	EIC	Ottawa
GREAVES, W.	Consul	Canadian Consulate General	Buffalo NY
GREEN, M.	Past President, Association of Immigration Lawyers	Green & Spiegal	Toronto
GOLDENBERG, M.	Director, Official Languages in Education	Secretary of State	Ottawa
HAMLO, J.	Consul	U.S. Consulate	Montreal
HANSEN, L.	Director, Immigration	EIC, B.C. Region	Vancouver
HOLMAN, P.	Manager, Enforcement	EIC, Toronto	Toronto
HUBLEY, G.	Director, Institutional Training	EIC	Ottawa
HURDE, J.	Executive Director	Edmonton Immigrant Services Association	Edmonton

IMMIGRATION AND CITIZENSHIP SUB-TEAM

NAME	POSITION	ORGANIZATION	LOCATION
JEAN, D.	Vice-Consul	Canadian Consulate-General	Buffalo NY
JEFFS, G.	District Administrator	EIC, Toronto District	Toronto
KNIGHT, S.	President	Multilingual Orientation Service Association for Immigrant Communities	Vancouver
KUTZ-HARDER, H.	Refugee Officer	United Church of Canada	Toronto
LANE, C.	Registrar of Canadian Citizenship	Secretary of State	Ottawa
LUGTIGHEID, E.	Chief, Group and Community Development	Secretary of State	Ottawa
LUSSIER, G.	Deputy Minister	EIC	Ottawa
MASSE, M.	Deputy Minister	External Affairs	Ottawa
McDOUGAL, B.		Working Group on Refugees	Toronto
McMURRAY, C.	Manager	CIC, Toronto	Toronto
MILMAN, M.	Supervisor, Terminal I	Pearson International Airport	Toronto
PASSMAN, J.	Auditor	External Affairs	Ottawa
PHILLIPS, G.	Auditor	External Affairs	Ottawa
PALMER, T.	Manager	CIC, Fort Erie	Fort Erie
PINTO, M.		St. Boniface Multicultural Centre	Toronto
POCOCK, N.		Quaker Committee Toronto Refugee Affairs Committee	Toronto
PRITCHARD, G.		Working Group on Refugees	Toronto
PTOLOMY, K.	Refugee Officer	Anglican Church of Canada	Toronto

IMMIGRATION AND CITIZENSHIP SUB-TEAM

NAME	POSITION	ORGANIZATION	LOCATION
PROULX, T.	Manager, Registration	Ottawa Court of Canadian Citizenship	Ottawa
RIDDELL, B.	Executive Director	Canada-Africa Newcomer Aid Centre	Toronto
RIDEOUT, M.	Senior Citizenship Judge	Secretary of State	Ottawa
RIGBY, E.	Director Newcomer Services	Ministry of Citizenship, Government of Ontario	Toronto
ROGERS, C.	Consul - General	Canadian Consulate-General	Buffalo NY
SANTOS, V.	Lawyer	Parkdale Community Legal Services	Toronto
SANTOSHAM, T.	Manager Business Immigration	Ministry of International Trade and Investment, Government of British Columbia	Vancouver
SAWH, P.	Immigrant Women Section Multiculturalism	Secretary of State	Ottawa
SCOTTEN, A.	Policy Analyst, Corporate Policy	Secretary of State	Ottawa
SHAW, C.	Director, Immigration Affairs	External Affairs	Ottawa
SHEEHAN, T.	Director-General Immigration and Social Affairs	External Affairs	Ottawa
SINCLAIR-JONES, H.	Executive Director	OCASI (Ontario Council of Agencies Serving Immigrants)	Toronto
SMALLENBERG, G.	Director-General Small Business	Ministry of International Trade & Investment, Government of British Columbia	Vancouver

IMMIGRATION AND CITIZENSHIP SUB-TEAM

NAME	POSITION	ORGANIZATION	LOCATION
SOLAMATENKO, A.	Immigration Supervisor	Terminal II, Pearson International Airport	Toronto
SRI SKANDA RAJAH, S.		Jane-Finch Legal Services Tamil Elam Society of Canada	Toronto
TAYLOR, C.	Director, Policy Development	EIC	Ottawa
TEBBUTT, S.		Anglican Church	London
TINGLEFF, W.	Newcomers Services	Ministry of Citizenship, Government of Ontario	Toronto
TRUSSLER, J.	Chief, Performance Measurement	EIC	Ottawa
VIGNEAULT, R.	Assistant Deputy Minister, Recruitment & Selection	Ministry of Cultural Communities & Immigration, Government of Quebec	Montreal

HUMAN RESOURCING SUB-TEAM

NAME	POSITION	ORGANIZATION	LOCATION
ALLAIRE, L.	Admin Reform Team	Agriculture Canada	Ottawa
ALLISON, D.	Director, Secretariat	EIC	Vancouver
ARGUE, D.	Executive Director	Saskatchewan PSC	Regina
BAKER, E.	Ex. Director, Staffing	PSC	Ottawa
BAZINET, L.	Regional Director	PSC	Edmonton
BEAN, D.	President	Public Service Alliance of Canada (PSAC)	Ottawa
BECHARD, G.	Staffing Officer	NHW	Edmonton
BENDER, M.	Director, Admin & Information	Saskatchewan PSC	Regina
BENNING, B.	Mgr. Human Resources	Canterra	Calgary
BERGERON, C.	Division Manager	PSSRB	Ottawa
BOIVIN, F.	Director	PSC	Montreal
BOURGEOIS, G.	President	Alberta Union of Provincial Employees	Edmonton
BOWES, P.	Western Reg'l Administrator	MOT	Edmonton
BRITTAIN, W.B.	Exec. Director, Appeals	PSC	Ottawa
BROWN, J.	Chairman	PS Staff Relations Board	Ottawa
BROWN, L.	General Secretary	Saskatchewan Government Employees Union	Regina
BURKE, A.S.	Vice-President	PSAC	Ottawa
BURKHOLDER, P.	Staffing Officer	IAN	Edmonton
CAMPBELL, C.	Mgr., Personnel Develop.	CNR	Edmonton

HUMAN RESOURCING SUB-TEAM

NAME	POSITION	ORGANIZATION	LOCATION
CHABOT, P.	Placement Officer	Laval University	Quebec
CHARRON, R.	Asst. Business Mgr.	International Brotherhood of Electrical Workers (IBEW)	Ottawa
CLARK, P.	Director, Program Serv.	B.C. Ministry of Provincial Services	Victoria
DAIGNEAULT, M.	Placement Officer	University of Montreal	Montreal
DELAGE, P.	Director, Appeals	PSC	Ottawa
DESLAURIERS, R.	Director Gen., PRB	PSSRB	Ottawa
DONEGANI, J.	President	PIPS	Ottawa
FARNELL, G.	Reg'l Staffing Consult.	PSC	Edmonton
FLEURY, J-G	Director General, Management Cat.	PSC	Ottawa
FORTIER, N.	Admin Reform Team	Justice Canada	Ottawa
GALLANT, E.	Chairman	PSC	Ottawa
GIAMPETRI, S.	Vice-President	PSAC	Ottawa
GOLDBERG, S.	Admin Reform Team	CCA	Ottawa
GRAHAM, J.	Director, Staffing	Saskatchewan PSC	Regina
HARRIS, R.	Mgr., Western CAP	PSC	Edmonton
HAWIRKO, P.	Mgr., Employee Relations	CNR	Edmonton
HISCOX, H.	Regional Director	PSC	Vancouver
HOOD, G.	Manager, Employment	Esso Resources	Calgary
HOSSACK, E.	Director, Investigations	PSC	Ottawa
HUNTER, J.	Dir. Gen'l, Employment	EIC	Ottawa

HUMAN RESOURCING SUB-TEAM

NAME	POSITION	ORGANIZATION	LOCATION
JODOUIN, H.	Assignment Officer, Interchange Canada	PSC	Ottawa
KATAREY, V.	Staffing Consultant	PSC	Ottawa
KELSON, B.	Director, CAP	PSC	Ottawa
KONSTANTINAKOS, C.	Program Manager, University Recruitment	PSC	Ottawa
LABRECQUE, L.	Director, Administration	PSSRB	Ottawa
LACOMBE, T.	Commissioner	PSC	Ottawa
LARABIE, M.	Staffing Consultant	PSC	Ottawa
LECLERC, C.	Manager, Legal	PIPS	Ottawa
MAIDENS, W.	Director, Interchange Canada	PSC	Ottawa
MARTEL, Y.	Staffing Consultant	PSC	Ottawa
McCORMICK, J.E.	General Counsel, Legal Services	PSSRB	Ottawa
McDONALD, K.G.	Manager, Labour Rels.	CNR	Edmonton
McMORINE, R.	Chief, Staff Relation and Classifications	EIC	Vancouver
MICHAUD, R.	Director	PSC	Quebec
MYERS, G.	Business Manager	IBEW	Ottawa
PERRON, R.	Director Collective Bargaining	PSAC	Ottawa
PILON, A.	Director, Operational Services	EIC	Ottawa
PLANT, G.E.	Secretary-Registrar	PSSRB	Ottawa

HUMAN RESOURCING SUB-TEAM

NAME	POSITION	ORGANIZATION	LOCATION
POSYNIAK, L.	Asst. to Chairman	Saskatchewan PSC	Regina
QUIRING, D.	Director General Admin Reform	PSC	Ottawa
RANGER, T.	Research Division	PSAC	Ottawa
REARDON, G.	Chief, Negotiations	TBS	Ottawa
REA, N.	Admin Reform Team	CCAC	Ottawa
ROSS, H.	Staffing Officer	DPW	Edmonton
RUSS, C.J.	Administrator Labour Government Employee Secondment Program	Labour Canada	Ottawa
SCOTT, G.	Regional Manager	CNR	Edmonton
ST. AUBIN, A.	Executive Director Staff Development	PSC	Ottawa
STEINGARTEN, L.	Admin Reform Team	CCA	Ottawa
STRIKE, K.	Director Mediation Services	PSSRB	Ottawa
SWICKIS, R.	President	Canadian Association of Prof. Radio Operators	Ottawa
TENNIER, J.	Special Advisor to PSC on Interchange Canada	PSC	Ottawa
THIVIERGE, J.	Asst. Secretary	TBS	Ottawa
WHITING, J.	Director, Staffing Support Services	PSC	Ottawa